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## Regulations

### TITLE 7—AGRICULTURE

Chapter I—War Food Administration  
(Standards, Inspections, Market Practices)  
Subchapter A—Commodity Standards and Standard Container Regulations

#### PART 41—STANDARD CONTAINERS

Revision of Regulations under the United States Standard Container Act of 1916 and the United States Standard Container Act of 1928.

By virtue of the authority vested in the War Food Administrator, the following revision of Title 7, Chapter I, Subchapter A, Part 41, Code of Federal Regulations, as amended by 7 F.R. 6803, is promulgated:

#### Sec.

- 41.1 Meaning of words.
- 41.2 Definitions: general.
- 41.3 Definitions: act of 1916.
- 41.4 Definitions: act of 1928.

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- 41.19 Table 2: Schedule of capacity tolerances allowed under the act of 1928.
- 41.20 Dimension tolerances for Climax baskets, act of 1916.

#### Sec.

- 41.21 Application of dimension tolerances for Climax baskets.
- 41.22 Table 3: Schedule of dimension tolerances for Climax baskets.

**AUTHORITY:** §§ 41.1 to 41.22, inclusive, are issued under authority of sec. 4, 39 Stat. 674 and sec. 9, 45 Stat. 687; 15 U.S.C. 254, 257h; E.O. 9280, 9322, 9334, 7 F.R. 10179, 8 F.R. 3897, 5423.

§ 41.1 *Meaning of words.* Words used in these regulations in the singular form shall be considered to import the plural, or vice versa, as the case may demand.

§ 41.2 *Definitions: general.* For the purpose of these regulations, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) "Act of 1916" means the U. S. Standard Container Act approved August 31, 1916, as amended (39 Stat. 674; 48 Stat. 930; 15 U.S.C. 251-256)

(b) "Act of 1928" means the U. S. Standard Container Act approved May 21, 1928 (45 Stat. 685, 15 U.S.C. 257-257i)

(c) "Administrator" means the War Food Administrator or any officer or employee of the Department of Agriculture to whom the Administrator has heretofore delegated or may hereafter delegate the authority to act in his stead;

(d) "Director" means the Director of Food Distribution of the War Food Administration, or any officer or employee of the War Food Administration to whom the Director has heretofore delegated or may hereafter delegate the authority to act in his stead;

(e) "Branch" means the Fruit and Vegetable Branch of the Food Distribution Administration;

(f) "Chief of Branch" means the Chief of the Fruit and Vegetable Branch of the Food Distribution Administration or any officer or employee of the Branch to whom has heretofore been delegated or may hereafter be delegated the authority to act in his stead.

§ 41.3 *Definitions: act of 1916.* (a) "Containers" means Climax baskets for grapes and other fruit and vegetables and for mushrooms, and baskets or other

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containers for small fruits, berries, and vegetables, including those commonly known as berry boxes and till baskets, made of veneer, corrugated or solid fibreboard, metal or other material, ventilated or non-ventilated;

(b) "Climax basket" means a basket approximately rectangular in shape, with handle, and having slanting sides composed of one or more pieces of material bound at the top by bands of heavier material, and having solid bottom, or having sides and bottom formed from one continuous piece of material;

(c) "Standard basket or other container for small fruits, berries, and vegetables" means (1) a small, open or partly open container generally known as a berry box or till basket, commonly made in the following sizes:  $\frac{1}{2}$  pint, pint, quart, 2 quart, 3 quart, and 4 quart; the larger sizes sometimes used with handles; used as a display or retail sales package or as a sub-container within a crate or other carrier, but not usually in itself a primary shipping container; or (2) any other baskets for the above commodities not covered by the act of 1928 (made in multiples of the dry one quart)

§ 41.4 Definitions; act of 1928. (a) "Containers" means all styles and types of hampers, round stave baskets, and splint or market baskets for fruits and vegetables, made of veneer, corrugated or solid fibreboard, metal or other material, ventilated or non-ventilated;

(b) "Hamper" means a container, usually round, but which may be elliptical or polygonal, larger at top than at bottom, and of greater depth than width, having slatted or solid sides and solid or fabricated bottom, or having sides and bottom formed of one continuous piece of material;

(c) "Round stave basket" means a round container, larger at top than at

bottom, and of greater width than depth, having slatted or solid sides and solid or fabricated bottom, or having sides and bottom formed from one continuous piece of material;

(d) "Splint basket" means a basket commonly known to the trade as a market basket, approximately rectangular in shape, usually with handle or handles, the sides and bottom of which are formed of solid or fabricated material, usually bound at the top by bands of heavier material;

(e) "Dimension specifications" means the numerical designations of inside and outside measurements necessary properly to classify a container as to its capacity, shape, and appearance;

(f) "Deceptive appearance" means the appearance of a basket or hamper such as to give to the ordinary individual the impression that the container is of greater or lesser capacity than that of a standard container of the same size, or such that it is not readily distinguishable from other standard sizes established by the act.

#### ADMINISTRATION

§ 41.5 Chief of Branch. The Chief or Acting Chief of Branch shall perform for and under the supervision of the Administrator and the Director, such duties as the Administrator or the Director may require in enforcing the provisions of the acts and these regulations.

#### MARKING REQUIREMENTS—ACT OF 1916

§ 41.6 Marking requirements for 1-pound Climax baskets. The required marking or stamping of these baskets "for mushrooms only" shall be not less than  $2\frac{1}{2}$  inches in length over all, and composed of letters not less than three-eighths of an inch in height.

#### SPECIFICATIONS—ACT OF 1928

§ 41.7 Submission of specifications. In order to comply with section 4 of the act of 1928, each manufacturer of hampers, round stave baskets, and splint or market baskets shall submit over his signature on forms provided for that purpose dimension specifications to the Chief of Branch for his approval; and the manufacture of such containers shall not be undertaken until the specifications therefor have been approved by the Chief of Branch.

§ 41.8 Approval of specifications. The Chief of Branch will approve all such dimension specifications if he finds that the containers made in accordance therewith are of the proper cubical capacity and are not of deceptive appearance.

§ 41.9 Alteration of specifications. The dimension specifications of any container which have been approved under the provisions of the Act of 1928 shall not be changed nor altered in any way without the prior approval of the Chief of Branch.

§ 41.10 Ordering of forms. Manufacturers of containers covered by this act shall secure prior approval of specifications for such containers before ordering or obtaining forms therefor.

§ 41.11 *Certification of specifications and marking.* The dimension specifications, if approved, will be specifically certified by the Chief of Branch, and the certificate will bear an identification number which may be used by the manufacturer to whom it is issued in stamping or otherwise marking in the following style the container covered by the certificate:

708  
U. S.  
4 Qts.

#### TESTING OF SAMPLES

§ 41.12 *Samples for examination.* For the purpose of determining whether containers comply with the requirements of the acts of 1916 and 1928 as to capacity and, in the case of containers covered by the act of 1928, as to deceptive appearance and conformity to approved specifications, carefully made samples shall be submitted to the Chief of Branch at his request. Such samples may be called for prior to the approval of the dimension specifications under the act of 1928, and additional samples may be called for from time to time in the discretion of the Chief of Branch for subsequent test as to their compliance with these acts.

§ 41.13 *Method of testing.* Except as provided in § 41.14, the capacity of samples referred to in § 41.12 shall be determined by the bulk-for-bulk method, as described in U. S. D. A. Miscell. Pub. No. 75, or by reckoning from inside dimensions. Except as provided in § 41.14, only the capacity of the container when level full shall be considered, regardless of any extension of the sides above such top hoops or bands to serve as a support for the cover.

§ 41.14 *Testing containers in which the inside top hoop sets down.* The capacity of a container which is constructed with the inside top hoop set down to accommodate a cover shall be determined by first obtaining the total capacity in the usual manner and from it deducting the number of cubic inches contained in the space between the upper edge of the inside top hoop and the upper ends of the staves. The capacity of this space shall be computed by the formula: Diameter squared  $\times$  0.7854  $\times$  the average depth.

§ 41.15 *Satisfactory samples.* Samples when tested will be considered satisfactory if the results of the tests are such as to indicate that in the factory run of such containers there will be practically as many over standard as under standard capacity within the established tolerances and, in the case of containers covered by the act of 1928, that they conform to the approved specifications.

#### TOLERANCES OR VARIATIONS

§ 41.16 *Excess or deficiency.* For the purpose of allowing for variations in the capacity of containers incidental to manufacture, the excess or deficiency in the capacity of any container over or

under the standard capacity prescribed for such container by the acts may be as much as, but not more than, the tolerance for excess and deficiency shown in Table 1; however, where departures from the standard capacity occur in any lot of containers, the proportion over and under the standard capacity shall be approximately equal; and no lot shall be considered satisfactory in which the containers are within the deficiency tolerance but all under the standard capacity prescribed for such containers by the act.

§ 41.17 *Table 1: Schedule of capacity tolerances allowed under the act of 1916.*

Standard capacity	Tolerances	
	Excess	Deficiency
	Cubic inches	Cubic inches
$\frac{3}{4}$ pint.....	1	$\frac{3}{4}$
1 pint.....	2	$1\frac{1}{2}$
1 quart.....	3	2
2 quarts.....	5	$2\frac{1}{2}$
3 quarts.....	$7\frac{1}{2}$	$3\frac{3}{4}$
4 quarts.....	10	5
12 quarts.....	23	12

§ 41.18 *Tolerances for sizes not shown in Table 1.* If a container has a capacity to which a standard is applicable under the act of 1916, but which is not specified in the column headed "Standard capacity" in Table 1, the excess or the deficiency allowed shall be that permitted for the next smaller capacity specified in the table.

§ 41.19 *Table 2: Schedule of capacity tolerances allowed under the act of 1928.*

Standard capacity	Tolerances	
	Excess	Deficiency
	Cubic inches	Cubic inches
$\frac{3}{4}$ bushel (4 quarts).....	10	5
$\frac{1}{2}$ bushel (8 quarts).....	16	8
$\frac{1}{3}$ bushel (12 quarts).....	23	12
$\frac{1}{4}$ bushel (16 quarts).....	30	15
$\frac{1}{5}$ bushel (20 quarts).....	37	18
$\frac{1}{6}$ bushel (24 quarts).....	49	20
1 bushel (32 quarts).....	50	25
$1\frac{1}{4}$ bushels (40 quarts).....	73	29
$1\frac{1}{2}$ bushels (48 quarts).....	75	33

§ 41.20 *Dimension tolerances for Climax baskets; act of 1916.* The tolerances or variations in dimensions of Climax baskets for grapes and other fruits and vegetables and for mushrooms shown in Table 3 are found to be reasonable and necessary and are hereby allowed, subject, however, to the tolerances in capacity allowed in § 41.17 of these regulations.

§ 41.21 *Application of dimension tolerances for Climax baskets.* The excess or deficiency in any dimension specified below in the column designated "Basket dimensions" over or under the measurement prescribed for such dimensions in section 1 of the act of 1916 may be as much as, but not more than, the amount specified opposite such dimension in the column designated "Excess" or "Deficiency," as the case may be.

§ 41.22 *Table 3: Schedule of dimension tolerances for Climax baskets.*

Basket dimensions (outside measurements)	Tolerances	
	Excess	Deficiency
	Inch	Inch
Combined length and width of top	$1\frac{1}{2}$	$1\frac{1}{2}$
2-quart and 1-pound mushroom.....	$1\frac{1}{2}$	$1\frac{1}{2}$
4-quart.....	$1\frac{1}{2}$	$1\frac{1}{2}$
12-quart.....	$1\frac{1}{2}$	$1\frac{1}{2}$
Height, all sizes.....	$1\frac{1}{2}$	$1\frac{1}{2}$
Width of bottom, all sizes.....	$1\frac{1}{2}$	$1\frac{1}{2}$
Length of bottom, all sizes.....	$1\frac{1}{2}$	$1\frac{1}{2}$
Thickness of bottom, all sizes.....	$1\frac{1}{2}$	$1\frac{1}{2}$
Length of cover, all sizes.....	$1\frac{1}{2}$	$1\frac{1}{2}$
Width of cover, all sizes.....	$1\frac{1}{2}$	$1\frac{1}{2}$

Issued at Washington, D. C., this 21st day of December 1943.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 43-20223; Filed, December 21, 1943;  
3:33 p. m.]

#### Chapter VII—War Food Administration (Agricultural Adjustment)

#### PART 734—CONSERVATION MATERIALS AND SERVICES PROGRAM

##### FIXING OF FAIR PRICES

§ 734.1 *Regulations governing the fixing of fair prices for conservation materials and services acquired under purchase orders, revised.* Fair prices which may be paid for such conservation materials and services as the Chief of the Agricultural Adjustment Agency determines are to be furnished under purchase orders in any given area in connection with the agricultural conservation program shall be determined as follows:

(a) A fair price shall be the lowest price at which a county agricultural conservation committee determines, according to instructions of the Agricultural Adjustment Agency, that vendors in position to serve farmers in the county or subdivision thereof are or will be able to supply a sufficient volume of a material or service for local delivery under purchase orders, taking into consideration, among other things, the following elements:

(1) The prices which farmers are currently paying for the material or service through local supply channels;

(2) The prices at which farmers can obtain the same materials or services through other than local channels;

(3) Where production of the material is local, the prevailing cost to the vendor and the normal margin;

(4) Where the service involved is not customarily performed commercially in the locality, the estimated cost of performing the service plus a margin to the vendor reasonably in line with locally prevailing trade margins.

(b) Regardless of the provisions of paragraph (a) hereof, no fair price may be set which is higher than the highest ceiling price at which any vendor in the area covered is authorized to sell a material or service under the General

Maximum Price Regulation or other applicable regulations issued by the Office of Price Administration. In cases where the prevailing price is not lower than the ceiling price, the fair price may be the ceiling price: *Provided, however,* That, where various vendors have differing price ceilings, the fair price may be determined to be less than the highest ceiling price on the basis of the provisions of paragraph (a) hereof.

(c) A material shall be deemed not to have been furnished at a fair price if it is determined that the material does not meet quality specifications. At the option of the Agricultural Adjustment Agency such material shall be rejected, or accepted subject to a deduction equal to three times the difference between the value of the material of the quality specified and the material of the quality furnished.

(d) These regulations supersede those issued August 21, 1941 (6 F.R. 4507).

(49 Stat. 1149; 55 Stat. 257; 16 U.S.C. 1940 ed. 590h (b), E.O. 9322, E.O. 9334; 8 F.R. 3807, 5423)

Issued at Washington, D. C. this 22d day of December 1943.

WILSON COWEN,  
Assistant War Food Administrator.

[F. R. Doc. 43-20316; Filed, December 22, 1943; 11:19 a. m.]

#### Chapter IX—War Food Administration (Marketing Agreements and Orders)

##### PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

###### DETERMINATION OF EQUIVALENT PRICE FOR ANIMAL FEED DRY SKIM MILK

Pursuant to § 927.10 of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, it is hereby determined that the price equivalent of hot roller process of dry skim milk for "other brands; animal feed, carlots, bags, or barrels," as used in § 927.2 (e) (1) of the said order, is 9.92 cents per pound, and the market administrator under such order shall use such price in the computation and announcement of prices; pursuant to § 927.2 (e) (1) of the order, for Class I milk delivered in January 1944.

(E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 21st day of December 1943.

THOMAS J. FLAVIN,  
Assistant to the  
War Food Administrator.

[F. R. Doc. 43-20314; Filed, December 22, 1943; 11:19 a. m.]

##### PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

###### DETERMINATION OF EQUIVALENT PRICE FOR ANIMAL FEED DRY SKIM MILK

Pursuant to § 927.10 of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, it is hereby determined

that the price equivalent of hot roller process dry skim milk for "other brands, animal feed, carlots, bags, or barrels," as used in § 927.4 (a) (15) of the said order, is 9.98 cents per pound, and the market administrator under such order shall use such price in January 1944 in the computation of the price of Class V-B milk (as defined in such order), pursuant to § 927.4 (a) (15) of the order, for milk delivered in December 1943.

(E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 21st day of December 1943.

THOMAS J. FLAVIN,  
Assistant to the  
War Food Administrator.

[F. R. Doc. 43-20315; Filed, December 22, 1943; 11:19 a. m.]

#### TITLE 16—COMMERCIAL PRACTICES

##### Chapter I—Federal Trade Commission

[File No. 21-378]

##### PART 157—CATALOG JEWELRY AND GIFTWARE INDUSTRY

###### PROMULGATION OF TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 20th day of December, A. D. 1943.

Due proceedings having been held under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I, as hereinafter set forth, which have been approved by the Commission in this proceeding, be promulgated as of December 23, 1943.

###### Statement by the Commission

Trade practice rules for the Catalog Jewelry and Giftware Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under its trade practice conference procedure.

The rules are directed to the prevention of various unfair competitive methods or practices and the protection of industry, trade, and the public from their harmful effects.

Products marketed by members of the industry are of great variety. Included therein are jewelry of all kinds, silverware, watches, clocks, novelties, toilet goods, luggage, electrical appliances, furniture, sporting goods or equipment, and miscellaneous items of consumer goods. The annual volume of business is reported as aggregating in normal times as much as \$200,000,000.

Catalogs issued by the members are distributed in various ways. They are supplied by such catalog houses to hardware, drug, and general merchandise stores, and to other retail outlets, in small communities and elsewhere, to be used by such stores and outlets as so-called counter-salesmen or for display, regularly or occasionally, to consumer-pur-

chasers, and from which sales may be made. Such purchasers select articles from the catalog and the dealer then buys from the catalog house the respective items of the consumer's selection. Industry membership also includes those who distribute their catalogs of this character to industrial concerns and to buying organizations for the convenience or use of employees or members of such concerns or organizations in purchasing merchandise direct from the catalog houses, or through such industrial concerns, buying organizations, their officers or others acting as intermediaries. In some instances, industry members distribute their catalogs to individuals or concerns who themselves may be prospective purchasers or who may make the catalogs available to other prospective purchasers for the purpose of making selections and purchases of products offered by the catalog house.

In the catalogs, with but few exceptions, net consumer prices of the respective articles offered for sale are not shown or specified, but code numbers or so-called list prices or catalog figures or other methods are usually used for enabling dealers or persons having special knowledge to learn what the catalog house's price actually is and to what extent it differs from such price figures as are listed in the catalog.

The above does not include catalogs issued by manufacturers or distributors to members of the trade only for use in making purchases of their stock in trade and which, although not carrying net consumer prices, are not used as so-called counter-salesmen for display to consumer-purchasers and from which to make sales to such consumer-purchasers. Moreover, the Catalog Jewelry and Giftware Industry, as herein referred to, is not to be understood as including the mail-order houses whose catalog business is that of selling direct to the consumer through catalogs in which are shown, generally, for each item therein, prices or price figures which constitute actual or net selling prices of such catalog houses to their customers. However, nothing herein shall be construed as relieving anyone of the necessity of complying with whatever laws or regulations may be applicable in the premises.

The proceeding for the establishment of trade practice rules was instituted upon application from members of the industry. In the course thereof a general trade practice conference for the entire industry was held in Cleveland, Ohio. Subsequently, a draft of proposed rules for the industry was made available upon public notice issued by the Commission to all interested or affected parties affording them opportunity to present their views to the Commission, including such pertinent information, suggestions or objections as they desired to submit, and to be heard orally. Accordingly, public hearing pursuant to such notice was held in Washington, D. C., and all matters there presented, or otherwise submitted, were duly received and considered.

Thereafter, and upon consideration of the entire proceedings, final action was

taken by the Commission whereby it approved the following rules in Group I:

### The Rules—Group I

The unfair trade practices embraced in the Group I rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

- Sec.  
157.1 Misbranding and misrepresentation.  
157.2 Passing off inferior sterling silverware as that of superior grade, etc.  
157.3 Deceptive pricing.  
157.4 Misrepresentation of character of business.  
157.5 Deceptive set-up of disclosed information.  
157.6 Commercial bribery.  
157.7 Imitation of trade-marks, trade names, etc.  
157.8 Combination or coercion to fix prices, suppress competition, or restrain trade.  
157.9 Discrimination.  
157.10 Aiding or abetting use of unfair trade practices.

AUTHORITY: §§ 157.1 to 157.10, inclusive, issued under 38 Stat. 717, as amended; 15 U.S.C. 41 et seq.

§ 157.1 *Misbranding and misrepresentation.* (a) The use on any product or article offered for sale, sold, or distributed of any marks, brands, or labels which are false, misleading, or deceptive in respect of such product or article, or in respect of the grade, quality, quantity, use, size, weight, material content, origin, preparation, manufacture, or distribution thereof, or which are false, misleading, or deceptive in any other respect, is an unfair trade practice.

(b) It is an unfair trade practice to make or publish, or cause to be made or published, in advertisements, catalogs, bulletins, circulars, or by radio, or in any other manner, any statement or representation which is false, misleading, or deceptive in respect of any product or article offered for sale, sold, or distributed, or in respect of the grade, quality, quantity, use, size, weight, material content, origin, preparation, manufacture, or distribution thereof, or which is false, misleading, or deceptive in any other respect. (Rule 1)

§ 157.2 *Passing off inferior sterling silverware as that of superior grade, etc.* It is an unfair trade practice to pass off, directly or indirectly, through any means or device, any sterling silverware of a certain grade, quality, thickness, or weight as and for sterling silverware of superior grade, quality, thickness, or weight, with the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers. (Rule 2)

§ 157.3 *Deceptive pricing.* (a) It is an unfair trade practice to use, in advertisements, catalogs, bulletins, circulars, or other printed matter, distributed

to consumers, dealers, purchasing agents, cooperative buying groups or others, any price marks, price designations, or so-called prices, or figures, words, or marks purporting to be prices, when such do not represent actual bona fide selling prices, or which are misleading or deceptive in any respect. Nothing in this section, however, shall be so construed as:

(1) To prevent the use in catalogs or sales literature of figures, letters, or symbols, or combinations thereof, purporting merely to be the catalog number of the item or article listed, which number is not accompanied by the dollar sign or decimal point indicating dollars and cents, and is not represented to be, and does not by position on the page or otherwise purport to be, a price of any kind, but is used to provide a number and basis for use in computing the dealer's or purchaser's cost (Illustrative number "1593U1975");

(2) To prevent the use in catalogs or sales literature of the term "Catalog Figure" (or its abbreviation "Cat. Fig.") followed by a number, or the use of a number immediately preceded or followed by a symbol, when such term, number, or symbol is not accompanied by the dollar sign or decimal point indicating dollars and cents, and when such term, number, or symbol as used is not a price of any kind nor is represented as such, but, while occupying a position on the page ordinarily occupied by price marks, is used merely to provide a number and basis for computing the dealer's or purchaser's cost, which method is described on another page;

*Provided, however,* That on each page showing such term, number, or symbol, there is conspicuously and prominently set forth a notice to the effect that the "Catalog Figure" or "Cat. Fig." or the number immediately preceded or followed by a symbol, is not a price but is a number or code mark from which the selling price of the catalog house is determined. The following are examples of such page markings specified in this paragraph:

(Description of Article offered for sale)----- Catalog Figure 18½  
or  
(Description of Article offered for sale)----- Cat. Fig. 18½  
or  
(Description of Article offered for sale) 12\*\*  
(At the top or bottom of each page, notice to the following effect is to be set forth in clear and conspicuous form, heavy bold type in contrasting color preferred:)

Notice: The figures designated Catalog Figures (Cat. Fig.) shown on this page are not retail prices nor any other prices. They are merely assigned figures from which the dealer or purchaser may determine his cost.

or  
\*\*This is not a price but a code symbol from which you find your cost. See page —.

(b) Nothing in this section shall be construed as prohibiting the showing of a bona fide suggested resale price when clearly and nondeceptively designated as a suggested resale price: *Provided,* That as a resale price it is fair and reasonable and is not fictitiously inflated nor deceptively higher than the ordinary going resale price in the general market for such articles of the grade and quality to

which the suggested resale price is applied: *And provided further,* That no deception is practiced in respect thereto.

(c) Except insofar as authorized or required by law, nothing in this section shall be construed as requiring or permitting any number of the industry or other person to cause, directly or indirectly, any dealer or other reseller to charge any certain price or to fix or control the price at which any such dealer, reseller, or other person shall sell or resell any product. (Rule 3)

§ 157.4 *Misrepresentation of character of business.* (a) It is an unfair trade practice for any member of the industry, through catalogs, advertisements, or other means, to represent or hold himself or itself out directly or indirectly as being a wholesaler, jobber, distributor, wholesale distributor, wholesale jeweler, manufacturer, manufacturing wholesaler, manufacturer's distributor, importer, or exporter:

(1) Unless such member of the industry is respectively such wholesaler, jobber, distributor, wholesale distributor, wholesale jeweler, manufacturer, manufacturing wholesaler, manufacturer's distributor, importer, or exporter in respect of all the articles or products offered for sale or advertised in such catalogs or under such representations; or

(2) Unless, when true in part only, the representation is accompanied, in immediate conjunction, by such explicit qualifications or disclosure as will confine the representation within truthful scope, expressed and implied, showing the fact that such member is, as the case may be, such wholesaler, jobber, distributor, wholesale distributor, wholesale jeweler, manufacturer, manufacturing wholesaler, manufacturer's distributor, importer, or exporter as to only a certain stated proportion, or designated groups, of articles (or only as to certain specified articles) and not as to all the articles or products offered for sale, advertised, cataloged, or sold under or in connection with such representation.

(b) It is an unfair trade practice for any member of the industry to represent, by catalog, advertisement, or otherwise, that any article or product offered for sale by such member may be secured directly or indirectly from such member at the usual wholesale price or at other designated price when such is not true in fact. (Rule 4)

§ 157.5 *Deceptive set-up of disclosed information.* In setting forth any statement, designation, or other information to be disclosed under any of the rules in this part, the same shall be set forth clearly and unequivocally and not in a minimized or obscured manner, nor shall it be remotely or inconspicuously placed. Failure or refusal to make such disclosure in accord with the provisions of the rules in this part, thereby causing or promoting deception of the purchasing or consuming public or injury to competition, is an unfair trade practice. (Rule 5)

§ 157.6 *Commercial bribery.* It is an unfair trade practice for a member of the



industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to managers, superintendents, personnel officers, purchasing agents, or persons occupying similar positions in any business, without the knowledge of their employers or principals, as an inducement to influence such employers, principals, customers or prospective customers to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers, principals, customers or prospective customers to refrain from purchasing or dealing in the products of competitors or from dealing or contracting to deal with competitors. (Rule 6)

§ 157.7 *Imitation of trade-marks, trade names, etc.* The imitation or simulation of the trade-marks, trade names, brands, or labels of competitors, with the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public, is an unfair trade practice. (Rule 7)

§ 157.8 *Combination or coercion to fix prices, suppress competition, or restrain trade.* It is an unfair trade practice for a member of the industry or any person, firm, partnership, corporation, or association:

(a) To use, directly or indirectly, any form of threat, intimidation, or coercion against any member of the industry to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade; or

(b) To enter into or take part in, directly or indirectly, any agreement, understanding, combination, conspiracy, or concert of action with one or more members of the industry, or with one or more persons, firms, partnerships, corporations, or associations, to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade. (Rule 8)

§ 157.9 *Discrimination*—(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,<sup>1</sup> in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential, where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like

grade and quality, where either or any of the purchases involved therein are in commerce,<sup>1</sup> and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce,<sup>1</sup> or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce<sup>1</sup> from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (i) the market for the goods concerned, or (ii) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce,<sup>1</sup> in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce<sup>1</sup> to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale, of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce<sup>1</sup> to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale, of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce<sup>1</sup>, in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Purchases by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.* The foregoing provisions of this section relate to practices within the purview of the Robinson-Patman Antidiscrimination Act, which Act and the application thereunder of this section are subject to the limitations expressed in the amendment to such Robinson-Patman Antidiscrimination Act, which amendment was approved May 26, 1938, and reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Act approved June 19, 1936 (Public, Numbered 692, Seventy-fourth Congress, second session), known as the Robinson-Patman Antidiscrimination Act, shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit. (52 Stat. 446; United States Code, 1940 edition, Title 15, Sec. 13c).

(Rule 9)

§ 157.10 *Aiding or abetting use of unfair trade practices.* It is an unfair trade practice for any person, firm, or corporation to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in the rules in this part. (Rule 10)

Promulgated and issued by the Federal Trade Commission December 23, 1943.

[SEAL]

WILLIAM L. HAIGH,  
Acting Secretary.

[F. R. Doc. 43-20305; Filed, December 22, 1943;  
10:47 a. m.]

## TITLE 25—INDIANS

### Chapter I—Office of Indian Affairs

#### Subchapter L—Irrigation Projects, Operation and Maintenance

#### PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES ON THE MISCELLANEOUS INDIAN IRRIGATION PROJECTS HEREIN DESIGNATED

##### SALT RIVER PROJECT, ET AL.

§ 130.105 *Charges.* Pursuant to the Acts of August 1, 1914 and March 7, 1928

<sup>1</sup> As here used, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States," (exclusive, however, of the Philippine Islands.)

(38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387), a part of the reimbursable cost of operating and maintaining the irrigation projects named below is apportioned on a per-acre basis against the irrigable lands of the respective projects for the calendar year 1944 and for each succeeding calendar year until further order, in the amounts designated below for each project, and there is assessed against each acre of irrigable land to which water can be delivered through the constructed works of the respective projects, the amounts designated for each project, to be applied in the reimbursement of such apportionments;

Project and agency:	Per acre per annum
Salt River, Pima.....	\$1.00.
Duck Valley, Western Shoshone.....	.30
Fort Apache Unit, Fort Apache.....	.50
Fruitland Unit, Navajo.....	1.00
Miscellaneous Units, Navajo.....	.50
Pyramid Lake Unit, Carson.....	.50
San Carlos Reservation Unit, San Carlos.....	.50
San Xavier Unit, Sells.....	.50
Tongue River Unit, Tongue River.....	.25
Warm Springs Unit, Warm Springs.....	.25

§ 130.106 *Payment.* The annual charges fixed in § 130.105 of this part shall become due on April 1 of each year, are payable on or before that date, and any charges that remain unpaid after the due date shall stand as a first lien against the land until paid.

The delivery of water shall be refused to all tracts of land for which the charges have not been paid when due, except in instances where the lands are in Indian ownership, not under lease to a non-Indian, and the Indian owners shall have made the necessary arrangements with the Superintendent as hereafter provided. When any Indian owner of land not under lease to a non-Indian is financially unable to pay the operation and maintenance charges on the due date from cash on hand, the Superintendent may make the necessary arrangements with such Indian owner as will permit him to perform labor on the irrigation project works with the understanding that the proceeds derived therefrom shall be applied in partial payment of the operation and maintenance charges; and/or the Superintendent may make the necessary arrangements for such Indian owner to pay the operation and maintenance charges from the proceeds of the crops grown on the land when harvested and marketed within that calendar year, provided written statements to that effect are furnished by the Indian owner on or before the due date.

In any instance where the Superintendent is convinced that an Indian landowner, whose land is not under lease to a non-Indian, is financially unable to pay his operation and maintenance charges from proceeds of labor performed on the project works, or from the proceeds of the crops being grown on the land, or from any other source, the delivery of water may be continued if a written certificate is issued by the Superintendent stating that such Indian is not financially able to pay his charges

and copies thereof forwarded to the Commissioner of Indian Affairs for approval or rejection. In such cases the unpaid charges shall be entered on the accounts and will stand as a first lien against the land until paid but without penalty for delinquency.

§ 130.107 *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(38 Stat. 583, 43 Stat. 210; 25 U.S.C. 385, 387)

OSCAR L. CHAPMAN,  
Assistant Secretary.

DECEMBER 1, 1943.

[F. R. Doc. 43-20304; Filed, December 22, 1943;  
10:35 a. m.]

Subchapter Y—Trading With Indians  
PART 276—LICENSED INDIAN TRADERS  
GOVERNMENT EMPLOYEES

Paragraph (a) of § 276.5 *Government employees not to trade with Indians except in certain cases* is hereby amended to read as follows:

(a) Employees of the United States Government, including those in the Indian Service may, with the approval of the Secretary of the Interior in each case where the amount involved exceeds \$100, or with the approval of the Superintendent or other officer in charge, where the amount involved does not exceed \$100, be permitted to purchase from any Indian or Indian organization any arts and crafts or any other product, service or commodity produced, rendered, owned, controlled or furnished by any Indian or Indian organization: *Provided*, That no employee of the United States Government shall be permitted to make any such purchases for the purpose of engaging directly or indirectly in the commercial selling, reselling, trading, or bartering of said purchases by the said employee: *And provided further*, That employees in Alaska may in each case make such purchases with the approval of the Secretary of the Interior where the amount involved exceeds \$250, and with the approval of the Superintendent or other officer in charge where the amount involved does not exceed \$250.

(R.S. 2078, 53 Stat. 840; 25 U.S.C. 68, 68a, 87a, 441)

OSCAR L. CHAPMAN,  
Assistant Secretary.

DECEMBER 6, 1943.

[F. R. Doc. 43-20303; Filed, December 22, 1943;  
10:35 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5313]

PART 29—INCOME TAX; TAXABLE YEARS  
BEGINNING AFTER DECEMBER 31, 1941

INFORMATION RETURNS AND OWNERSHIP  
CERTIFICATES

Amending Regulations 111 to provide that information returns on Forms 1096, 1099, and 1099L and ownership certificates on Form 1087 be filed with the Commissioner of Internal Revenue, Processing Division, 260 East 161st Street, New York 51, N. Y.

Regulations 111 [Part 29, Title 26, Code of Federal Regulations, 1943 Sup.] are amended as follows:

PARAGRAPH 1. Section 29.147-1 is amended by striking out the first two sentences and inserting in lieu thereof the following:

All persons making payment to another person of fixed or determinable income of \$500 or more in any calendar year must render a return thereof for such year on or before February 15 of the following year, except as specified in §§ 29.147-3 to 29.147-5, inclusive. A return shall be made in each case on Form 1099, accompanied by transmittal Form 1096 showing the number of returns filed, except that the return with respect to distributions to beneficiaries of a trust or of an estate shall be made on Form 1041 in lieu of Forms 1099 and 1096. Returns of information on Forms 1096, 1099, and 1099L should be filed with the Commissioner of Internal Revenue, Processing Division, 260 East 161st Street, New York 51, N. Y. For place of filing Form 1041 see section 53.

PAR. 2. Section 29.147-2 is amended by striking out the second sentence in the first paragraph and inserting in lieu thereof the following:

Heads of branch offices and subcontractors employing labor, who keep the only complete record of payments therefor, should file returns of information in regard to such payments with the Commissioner of Internal Revenue, Processing Division, 260 East 161st Street, New York 51, N. Y.

PAR. 3. Section 29.147-3 is amended as follows:

(A) By striking out paragraph (g) and inserting in lieu thereof the following:

(g) Payments of salaries, or other compensation for personal services aggregating less than \$624 for a calendar year, made to a married individual (citizen or resident);

(B) By striking out paragraph (i) and inserting in lieu thereof the following:

(i) Payments of income upon which income tax has been withheld at the source and reported on Forms 1012, 1013, 1042, or Forms V-1, V-2, and V-3 or Forms W-1, W-2, and W-3; and

PAR. 4. Section 29.147-7 is amended by striking out the second sentence and inserting in lieu thereof the following:

Such forms accompanied by transmittal Form 1096 should be forwarded to the Commissioner of Internal Revenue, Processing Division, 260 East 161st Street, New York 51, N. Y., on or before February 15 of each year.

PAR. 5. Section 29.147-8 is amended by striking out the fifth sentence in the first paragraph and inserting in lieu thereof the following:

Form 1087 should be filed with the Commissioner of Internal Revenue, Processing Division, 260 East 161st Street, New York 51, N. Y., not later than February 15 of the succeeding year.

PAR. 6. Section 29.148-1 is amended as follows:

(A) By striking out the last sentence of the first paragraph of paragraph (a) and inserting in lieu thereof the following:

These forms, accompanied by transmittal Form 1096 showing the number of Forms 1099 filed therewith, shall be filed with the Commissioner of Internal Revenue, Processing Division, 260 East 161st Street, New York 51, N. Y., on or before February 15 of the following year.

(B) By striking out the first sentence of paragraph (b) and inserting in lieu thereof the following:

In the case of a distribution which is made from a depletion or depreciation reserve, or which for any other reason is deemed by the corporation to be nontaxable or partly nontaxable to its shareholders, the corporation will fill in the information on both sides of Form 1096 and forward this form, together with Forms 1099, to the Commissioner of Internal Revenue, Processing Division, 260 East 161st Street, New York 51, N. Y., not later than February 1 of the following year.

PAR. 7. Section 29.148-3 is amended by striking out the second paragraph and inserting in lieu thereof the following:

Such forms, accompanied by transmittal Form 1096 showing the number of Forms 1099L filed therewith, shall be filed with the Commissioner of Internal Revenue, Processing Division, 260 East 161st Street, New York 51, N. Y., on or before February 15 of the year following the calendar year in which such distribution was made.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C., 1940 ed., 62))

[SEAL] ROBERT E. HANNEGAN,  
Commissioner of Internal Revenue.

Approved: December 21, 1943.

JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Doc. 43-20347; Filed, December 22, 1943;  
11:34 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

#### Subchapter B—Executive Vice-Chairman

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-463]

##### SHATTERPROOF GLASS COMPANY

Shatterproof Glass Company is a Delaware corporation with principal offices at 4815 Cabot Avenue, Detroit, Michigan, and is engaged in the manufacture and sale of shatterproof glass. In the manufacture of this product the corporation uses vinyl polymers.

During the months of December, 1942, and January, February, March and April, 1943, Shatterproof Glass Company accepted deliveries of and used 15,693 pounds of vinyl polymers for uses not authorized by the Director General for Operations, in violation of General Preference Order M-10 as amended October 10, 1942, paragraph (b) (3).

Shatterproof Glass Company filed with the War Production Board five PD-36 applications in the months of November and December, 1942, and January, February and March, 1943, wherein it listed customers to whom shipments would be made by it in the succeeding months, whereas the customers so listed in said applications were not ones to whom shipments were to be made in said succeeding months, but actually represented customers to whom shipments by the company had previously been made; likewise in said applications the company misrepresented its total consumption of vinyl polymers.

The company was aware of regulations applicable to its business but failed to exercise sufficient diligence to become familiar with the limitations imposed thereby, and the Company's actions must, therefore, be deemed wilful.

The making of these misrepresentations to the War Production Board and these violations of General Preference Order M-10 have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered that:

§ 1010.463 *Suspension Order No. S-463.* (a) Shatterproof Glass Company, its successors or assigns, shall not, directly or indirectly, purchase or accept delivery of, or receive into inventory, vinyl polymers.

(b) Nothing contained in this order shall be deemed to relieve Shatterproof Glass Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on December 21, 1943, and shall expire March 21, 1944.

Issued this 14th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-20282; Filed, December 21, 1943;  
3:10 p. m.]

#### PART 3270—CONTAINERS

[Limitation Order L-103, Schedule C, as Amended Dec. 20, 1943]<sup>1</sup>

GLASS CONTAINER AND CLOSURE SIMPLIFICATION; GLASS CONTAINERS FOR CERTAIN FOOD PRODUCTS

§ 3270.49 *Schedule C to Limitation Order L-103—(a) Definition.* For the purposes of this schedule:

"Standard glass container" means any container constructed in accordance with the specifications and design prescribed by any exhibit set forth in Drawings 1 to 15, inclusive, annexed to Order L-103, which possesses the finish prescribed for such exhibit or, subject to the provisions of paragraph (b) (2) hereof, any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(Note that in accordance with the footnotes to Drawings 7, 8, 9 and 13 glass containers conforming to the specifications of the following exhibits constitute "standard glass containers" for the purposes of this schedule only if they are manufactured before December 20, 1943—16-80, 16-81, 17-09, 17-11, 17-22, 17-76, 18-08, 18-14, 51-87, 51-89, 51-93, 51-95, 51-97, 51-99.)

(b) *Restrictions on use.* (1) With the exceptions set forth in paragraph (c) of this schedule, on and after July 4, 1943, no person shall use a glass container for the packing for sale of any product listed in the annexed table, except a standard glass container, having a capacity equal to or greater than that specified for such product in column II of said table.

(2) Notwithstanding the provisions of paragraph (g) of Order L-103, no person shall use for the packing for sale of any product listed in the table annexed to this schedule any glass container with a "deep screw cap" finish, except as specifically permitted by an exhibit authorized for such product.

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use, for the packing of any product listed in the annexed table, of any glass containers which were completely manufactured before the 4th day of July 1943.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers with a ca-

<sup>1</sup> This document is a restatement of Amendment 1 to Schedule C to L-103, as amended September 30, 1943, which appeared in the FEDERAL REGISTER of December 21, 1943, page 16978, and reflects the order in its completed form as of December 20, 1943.



capacity larger than 140 fluid ounces, of designs that existed on May 11, 1942.

(3) Nothing in this schedule shall prohibit any person who packed less than a total of 5,000 containers with all of the products listed in the annexed table during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, during any subsequent calendar year, a maximum of 5,000 glass containers for packing such products.

(4) Except as specifically permitted by the drawings and exhibits annexed to Order L-103 molded lettering or decoration on standard glass containers for the respective products listed in said table shall be limited to the manufacturers' identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture.* (1) No person shall manufacture, sell, or deliver any glass container which he knows, or has reason to believe, will be used in violation of any provision of this schedule.

(2) On and after the 5th day of April 1943, no molds may be manufactured for a container for any of the products listed in the annexed table which does not conform to the specifications of a standard glass container usable for such product, nor may any mold for a container for a product listed in the annexed table be replaced—whether because of wear or for any other reason—except by a mold which conforms to said specifications.

Issued this 20th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

TABLE

I. Product	II. Minimum overflow capacity in fluid ounces
1. Fruit butter.....	12
2. Preserves.....	12
3. Jelly.....	19
4. Salad dressings (including products using salad dressing as a base).....	18
5. Olive oil.....	2
6. Edible oils (other than olive oil).....	16
7. Shortenings.....	20
8. Maple syrup.....	12
9. Syrups (except chocolate and maple), including blended, bottlers, cane, corn, molasses, sorghum, malt, and fountain syrups.....	16
10. Chocolate syrup.....	18
11. Tomato catsup.....	12
12. Chili sauce and cocktail sauce.....	10
13. Tomato paste Not less than 25% by weight dry tomato solids.....	16
14. Tomato pulp and puree Not less than 10.7% (specific grav- ity 1.045) or more than 25% by weight dry tomato solids.....	12
15. Vinegar.....	16
16. Fruits and vegetables and mixtures thereof, including ripe olives, but excluding cranberries and mar- aschino cherries.....	16
17. Honey.....	16
18. Pickles and relishes.....	18
19. Peanut butter.....	18
20. Fruit and vegetable juices and mix- tures thereof.....	12

No. 254—2

## I. Product

21. Olives, green.....	15
22. Maraschino cherries.....	17
23. Cranberries and cranberry sauce.....	18
24. Mustard, including, but not limited to, prepared mustard, horseradish mustard, compound mustard, and imitation mustard.....	16

<sup>1</sup> Any tumbler may be used (in addition to standard) for packing the applicable product provided:

(i) Such tumbler was made from a mold that was actually in existence on or before April 5, 1943;

(ii) Such tumbler has no larger than a 70 mm. finish;

(iii) The capacity of such tumbler is no less than 8 fl. oz. and no greater than 9½ fl. oz.

<sup>2</sup> Until completion of the 1943 packing season for tomato catsup, any bottle of a design previously used for tomato catsup may be used therefor, in addition to the specified standards, provided:

(i) Said bottle was made from a mold actually in existence on April 5, 1943;

(ii) Such bottle is made to hold 14 oz. by weight of tomato catsup;

(iii) The height of such bottle to the "fill point" does not exceed 7½ inches.

After completion of 1943 tomato catsup packing season, only the containers permitted for said product pursuant to paragraph (b) (1) of this schedule may be used.

<sup>3</sup> Standard glass containers having a capacity equal to or greater than 3 oz. (and less than 5 oz.) may be used for olives, and standard glass containers having a capacity equal to or greater than 4 oz. (and less than 7 oz.) may be used for maraschino cherries, provided these containers were completely manufactured on or before December 20, 1943.

<sup>4</sup> Nothing in this schedule shall prevent the use for the packing of mustard of any glass container which was completely manufactured before March 20, 1944.

[F. R. Doc. 43-20283; Filed, December 21, 1943; 3:10 p. m.]

## PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-106, as Amended Dec. 17, 1943]<sup>1</sup>

## USE OF COPPER OR COPPER BASE ALLOY PRODUCTS IN AUTOMOTIVE PARTS

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of copper and copper base alloy products entering into the production of automotive parts and components thereof, for defense, for private account and for export; the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.66 Limitation Order L-106—(a) *Applicability of regulations.* This order and all transactions affected

<sup>1</sup> This document is a restatement of Amendment 1 to L-106, as amended September 22, 1943, which appeared in the FEDERAL REGISTER of December 21, 1943, page 16968, and reflects the order in its completed form as of December 17, 1943.

thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(2) "Light motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(3) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Truck trailer" means a complete semi-trailer or full trailer for the transportation of property or persons, or the chassis therefor.

(5) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(6) "Motorized fire equipment" means the chassis of a passenger automobile, light, medium or heavy motor truck, truck-tractor or trailer, used for the transportation of fire-fighting personnel or equipment.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Copper" means unalloyed copper metal, including unalloyed copper metal produced from scrap.

(9) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds forty percent (40%) of the total weight of the alloy. It shall include alloy metal produced from scrap.

(10) "Copper products" means products made of copper, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingots, castings, forgings, powder or anodes, or fabricated to any greater extent.

(11) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingots, castings, forgings, powder or anodes, or fabricated to any greater extent.

(12) "Less critical material" means material essential to the War Program, the supplies of which are less critical according to the Material Substitutions and Supply List issued periodically by the Conservation Division of the War Production Board.

(13) "Automotive part" or "parts" means replacement parts for, passenger automobiles, light motor trucks, medium and/or heavy motor trucks, truck trailers, passenger carriers, motorized fire equipment and off-the-highway motor vehicles (including components entering into such parts).

(14) "Producer" means any individual, partnership, association, corporation or other organization engaged in the production of automotive parts. This definition is not deemed to include persons engaged solely in the business of distributing automotive replacement parts, or persons engaged in the installation of automotive replacement parts on a motor vehicle, when any processing of such parts is incidental to such installation, such as distributors and dealers in parts and service stations, garages and repair shops.

(15) "Process" means to cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin, or otherwise shape copper products or copper base alloy products.

(c) *General restrictions.* (1) No producer shall process any copper products or copper base alloy products in the production of automotive parts other than in the following parts:

(i) *Radiators.* Water courses and tanks of copper alloy containing not more than seventy-one (71) per cent copper.

(ii) *Cooling system control devices.* (a) Pressure type radiator sealing caps of copper base alloy containing not more than 74% copper. (b) Thermostats of copper base alloy containing not more than 74% copper, except that the thermostat bellows may be made of copper base alloy containing not more than 85% copper.

(iii) *Electrical equipment.* Only parts functioning as electrical conductors in the following assemblies: coils; distributors; generators; lamp bulbs; starting motors; signaling devices; switches; wiring (including bulk or spooled primary wire, spark plug wire, battery cable and magnet wire) battery terminals of copper alloy containing not more than seventy-one per cent (71%) copper; solenoids, relays, regulators and instruments (non-current carrying parts for solenoids, relays, regulators and instruments which must be non-magnetic may be made from copper alloy containing not more than 71% copper) electric motors for windshield wipers and defrosters; electric motors for heaters for passenger carriers and trucks only; electric motors for ventilators for passenger carriers only; actuating devices for passenger carriers, trucks and truck trailers only; refrigeration units for trucks and truck trailers only. Heavy duty truck and bus type brush holders.

(iv) *Tubing and tube fittings.* Tubing, tube fittings and actuating parts for pneumatic and electro-pneumatic systems in motor trucks, truck trailers, passenger carriers, motorized fire equipment and off-the-highway motor vehicles, such as brake systems, gauges, door operating mechanisms, air steering mechanisms, air gear shift mechanisms, air clutch and winch control mechanisms, air operated gasoline throttle control, windshield wipers, interlocks, heat-

ing-and ventilating controls, signal horns and directional signals, where condensation and corrosion make substitution of less critical material impractical.

Tube fittings for hydraulic systems, oil lines and fuel lines when such fittings are machined from castings (containing not more than 74% copper and made without the use of any primary copper or tin), forgings, or special or irregular section extruded brass rod, provided that such methods of manufacture were used by the producer prior to May 6, 1942.

Inserts (or ferrules) when required for tube fittings made from a ferrous material.

(v) *Bearings, bushings, thrust washers* and similar parts which require oil, grease or water lubrication: *Provided*, That the use of Copper or Copper Base Alloy shall be reduced by substitution of steel-backed or solid-bronze bushings in all cases where load characteristics and diameter, length or wall thickness, make such substitution practicable.

(vi) *Carburetor and fuel pump parts.* Those parts having metering, seating, filtering or anti-friction characteristics such as jets, nozzles, seats, metering rods, floats, screens, springs and bearings; drill plugs, where non-corrosive metal is required to facilitate removal for cleaning.

(vii) *Plating.* For parts in connection with carburizing steel; where substituted for solid copper and copper base alloys; for protection from corrosion due to electrolysis where other material cannot be used, as in hydraulic brake parts which come in contact with brake fluid.

(viii) *Gaskets.* Spark plug gaskets (internal only); washers or solid gaskets where proper sealing is not possible with the use of less critical material; water hole grommets for gaskets where size prohibits the use of less critical material from a manufacturing standpoint, or where design provides insufficient sealing with less critical material.

(ix) *Transmissions, including synchromesh, fluid coupling, hydromatic and pneumatic types.* Fluid coupling: seal bellows, transmission gear synchronizer cones, thrust washers, thrust plates and rivets.

(x) *Brazing materials.* For joining functional parts of multiple-piece construction.

(xi) *Powdered copper.* For briquetted bearings.

(xii) *Used as a minor alloying element in alloys other than copper base alloys.* In ferrous alloys; bearing metals; zinc die castings for carburetors and fuel pumps; aluminum alloys for pistons.

(xiii) *Clutch facings and brake linings.* Only in the form of grindings or brass chips for medium and heavy motor trucks, truck trailers, passenger carriers, motorized fire equipment and off-the-highway motor vehicles; except that in clutch facings for such vehicles, copper in the form of wire may be used only where a less critical material is impractical.

(xiv) *Speedometers, tachometers, heat indicators and oil gauges.* Frames, capillaries, bulbs, bushings, bearings, magnet cups, reset pawls, springs, speed cups, sectors, gears, shoes, links, washers, pins, bourdon tubes.

(xv) *Miscellaneous.* Tire inner tube valve parts; small stampings for door locks, keys and lock tumblers; fuel filter screens; shut-off cocks and drain cocks; caps and valves for safety type auxiliary fuel tanks.

(2) Whenever copper products or copper base alloy products are used in the production of any automotive part, as

permitted by paragraph (c) (1) above, such copper products or copper base alloy products shall be reduced to the minimum practical gauge, size and grade of copper or copper base alloy product necessary for the proper operation of the part. No producer may use copper products or copper base alloy products in the production of any automotive part, as permitted by paragraph (c) (1) above, where the use of any less critical material is practicable.

(3) Whenever Limitation Order L-158 as amended, or Conservation Order M-9-c, as amended, or any other order of the War Production Board, imposes limitations upon the manufacture, sale or delivery of automotive parts more restrictive than provided in this order, the provisions of such other order shall apply.

(d) *Army and Navy exemptions.* The prohibitions and restrictions contained in this order shall not apply to the use of Copper Products or Copper Base Alloy Products in the manufacture of automotive parts produced under contracts or orders for delivery to, or for the account of, the Army or Navy of the United States where such use is required by the specifications (including performance specifications) of the prime contract.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, material specifications, purchases, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(i) *Appeals.* An appeal from the provisions of this order shall be made by filing a letter in triplicate with the field office of the War Production Board nearest the appellant's place of business, referring to the particular provisions appealed from and stating fully the grounds for appeal.

(j) *Communications.* All communications concerning this order shall be ad-

addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref: L-106.

Issued this 17th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-20285; Filed, December 21, 1943;  
3:10 p. m.]

# PART 3290—TEXTILE, CLOTHING, AND LEATHER

[Conservation Order M-328, as Amended  
Dec. 17, 1943]<sup>1</sup>

## PROVISIONS APPLICABLE TO TEXTILE, CLOTH- ING, LEATHER AND RELATED PRODUCTS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of textiles, clothing, leather and related products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.118 *Conservation Order M-328*—(a) *Restrictions on preference ratings for textiles, clothing, leather, etc.* (This paragraph states conditions which must be met to make ratings for items on Schedule A valid. However, even though a rating is not valid for the items, this does not prevent anyone from filling a purchase order if he can do so without disregarding valid ratings on other purchase orders or disregarding other orders or directions of the War Production Board.)

No person shall apply, extend or give any effect to any preference rating heretofore or hereafter assigned, applied, or extended to the delivery of any item on Schedule A unless:

(1) The rating has been assigned by a preference rating form or letter issued by or under the authority of the War Production Board to a named applicant and the form or letter specifically describes the item and specifies the quantity, description and type which may be obtained by the rating. No rating assigned by any L, M, P or other order or by any regulation (such as CMP-5 or CMP-5A) shall be valid for any item on Schedule A, except as permitted by paragraphs (a) (2), (a) (3) or (a) (4). For example, the rating for any fabric to comply with this subparagraph must be assigned on a War Production Board form

or letter naming the person to whom the rating is assigned and stating the yardage, type and construction of the fabric for which the rating is assigned, or

(2) The rating has been assigned by or pursuant to a form, order or regulation of the War Production Board and is used to obtain the item for direct or ultimate delivery to, or for incorporation into any material for ultimate delivery to the Army or Navy of the United States (including military exchanges and service departments when the order bears the appropriate endorsement referred to in paragraph (c) of Priorities Regulation 17), the Maritime Commission or War Shipping Administration; or

(3) The rating has been assigned by or pursuant to any supplement to this order or the particular order specified after the item on Schedule A.

(4) The material to be delivered is actually required as, or is required for incorporation in, a functioning part of industrial machinery and is one of the following numbered items on Schedule A: 1, 4, 5, 6, 7, 11, 15, 17, 19.

### SCHEDULE A

1. Animal bristles and hair.
2. Closures, apparel and all others which are restricted by L-68.
3. Clothing, footwear (including safety shoes), hats, gloves and all other outer or under garments or apparel, if made in whole or in part of leather or textile yarn, staple fiber or fabrics. This order does not apply to the following when specifically designed and used to furnish protection against specific occupational hazards (other than weather):  
Asbestos clothing.  
Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.  
Metal mesh gloves, aprons and sleeves.  
Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.  
Plastic and fibre safety helmets.  
Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.  
Safety industrial leather clothing other than gloves or mittens.  
Safety industrial rubber gloves and hoods and linemen's rubber gloves and sleeves.
4. Combinations of cotton, wool or synthetic yarn.
5. Combination of cotton, wool, or synthetic woven, felted, knitted or braided fabrics. M-168, M-298.
6. Cotton Yarn. L-282, M-317.
7. Cotton woven, knitted or braided fabric. M-166, M-207, M-298, M-317, P-116.
8. Dyestuffs.
9. Eyelets, metal.
10. Findings, shoe (metal) except shoe wire.
11. Hides, skins, furs and leather and products made primarily therefrom (subject to additional restrictions of M-310).

12. Manilla, Agave, Isole, Hemp (*Cannabis Sativa*), Sunn Hemp, Raffia, Flax, Jute, Coir yarn and other fibers, when used for cordage; and cordage products made primarily therefrom. M-84, P-56, P-73, P-92-b.

13. Sponges.

14. Synthetic yarn.

15. Synthetic woven, knitted or braided fabric. M-169.

16. Tacks, cut steel and wire.

17. Textile fibers (animal or vegetable, including sisal processor's mill waste, sisal bagasse, curledistle, etc.), and products made primarily from textile fibers or textiles, not including fabrics which have been coated and not including fire hose. M-85, M-317.

18. Wool and wool yarn.

19. Wool woven, knitted, felted or braided fabric.

(b) *Notation on purchase orders bearing a preference rating.* (1) Any person applying or extending a preference rating shall satisfy the certification requirements of Priorities Regulation 3. In addition, any person applying or extending a preference rating which is permitted by paragraph (a) (1), (a) (2) or (a) (4) shall place upon the purchase order a notation substantially as follows:

This rating can be used under Order No. M-328.

However, the Army or Navy of the United States, the Maritime Commission and the War Shipping Administration shall not be required to place this notation on their direct purchase orders.

If the rating is assigned by any order listed on Schedule A, the person applying or extending the same shall place upon the purchase order a notation substantially as follows:

This rating has been assigned by Order No. \_\_\_\_\_ (insert number of order on Schedule A assigning the rating).

If, however, the purchase order contains the specific identifying certification prescribed by an order on Schedule A or by M-148, the notation prescribed by this paragraph shall not be necessary.

(2) *Restriction on extension of ratings.* Notwithstanding the provisions of Priorities Regulation 3, no rating specifically permitted to be used by paragraphs (a) (1), (a) (3) or (a) (4) to obtain any item on Schedule A shall be extended for the delivery of any other item on Schedule A for physical incorporation into the item. For example, a rating for fabric may not be extended to obtain yarn unless to fill an Army, Navy, Maritime Commission or War Shipping Administration order as permitted by subparagraph (a) (2).

(c) *Specific directives.* The War Production Board may issue specific directions to individual producers or processors of items listed in Schedule A, with respect to the production, fabrication,

<sup>1</sup> This document is a restatement of Amendment 1 to M-328 as Amended December 6, 1943 which appeared in the FEDERAL REGISTER of December 21, 1943, page 16966, and reflects the order in its completed form as of December 17, 1943.

processing or delivery of items to meet particular military or civilian requirements, and no producer or processor shall produce, fabricate, process, deliver or accept delivery contrary to directions:

(d) *Equitable distribution.* (This paragraph does not apply to sales by retailers, inasmuch as the Fair Distribution Policy for retailers is defined in Declaration of Policy of July 15, 1943.) Preference ratings are given to certain orders to further the war program. It is the policy of the War Production Board that items listed in Schedule A not required to fill rated orders shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filing of orders as between persons who meet the seller's regularly established prices and terms of sale or payment.

Under this policy every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location or relationship as affiliated outlets.

It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

(e) *Rejects, over-runs and seconds—*  
(1) *Definitions.* "Rejects" means anything made to fill a rated order which (i) is so defective that it will be refused if tendered, (ii) the purchaser has refused, or (iii) the purchaser has notified the seller will be refused because of defects, failure to deliver on time, or termination of the procurement of the United States Government or any of its agencies for which the product was ordered. The term also is used to include seconds, over-runs or by products. A "Second" is anything made to fill a rated order but not actually offered or tendered to the purchaser because of defects, or for any other reason. An "Over-run" is anything made to fill a rated order but not delivered because in excess of the quantity actually needed to fill the order. A "By-product" is anything produced entirely or partly from a reject.

(2) *No one may purposely make a reject.* No manufacturer, processor or converter shall manufacture, process or order any product on Schedule A, which he knows or should know will be a reject. This paragraph does not prohibit the production of seconds, over-runs or by-products to the extent that they are unavoidable in the manufacturer's operations.

(3) *Restrictions on the disposition of rejects.* No manufacturer, processor or converter shall sell or deliver a reject listed on Schedules B or C, and no one may accept delivery of such reject except as permitted by this subparagraph (e) (3) or by the schedule on which it is listed.

Rejected hides, skins and leather and products made primarily therefrom may be disposed of only as authorized under General Conservation Order M-310.

Any item listed on Schedule A, but not listed on Schedules B or C, or covered as to disposition of rejects by M-310 or by any direction issued pursuant to this order, may be disposed of for use in the United States or to fill a rated order without regard to the limitations of § 944.11 of Priorities Regulation 1.

(4) *How to get needed permission to dispose of a reject.* Any manufacturer who under the terms of this order needs specific permission to dispose of a reject may apply by letter to the War Production Board stating the number of the contract, the amount of material to be produced under it, the kinds of such material, a detailed statement of quantities and kinds of rejects, a copy of the rejection, and a statement of the efforts he has made to dispose of the rejects to the buyer. If the War Production Board decides he ought to be allowed to dispose of the reject, it will give him specific instructions.

(5) *Effect of specific instructions on disposition.* The War Production Board may issue specific instructions in writing to anyone respecting the use and disposition of rejects or material obtained with priorities assistance, but not used for the purpose for which the priorities assistance was given. These instructions may relate to rejects not yet manufactured on the date of their issuance. They must be obeyed even if they conflict with other provisions of this order.

(6) *Reports.* Manufacturers of textile, clothing and leather products shall report their rejects at such times and in such manner as the War Production Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(7) *Records.* All persons affected by this order shall keep for at least two (2) years records showing the quantities and kinds of rejects produced by them and the disposition thereof.

**SCHEDULE B—REJECTS WHICH MAY BE DELIVERED ONLY ON SPECIFIC AUTHORIZATION OF THE WAR PRODUCTION BOARD**

Equipage: Military luggage and sleeping bags.  
Plain print cloth, 80 sley and higher, finished and unfinished, if not seconds or shorts.

Slide fasteners.

Silk and nylon yarn, silk and nylon woven, knitted and braided fabrics.

**SCHEDULE C—REJECTS, IF NOT SECONDS OR SHORTS, WHICH MAY BE DELIVERED ONLY FOR USE IN THE UNITED STATES AND ONLY FOR THE SPECIFIED END USES STATED BELOW, OR TO FILL A RATED ORDER**

8.5 oz. herringbone twill for footwear and foundation garments.

8.2 oz. twill, Types I, II, III, IV and V, for footwear, foundation garments and clothing.  
30" 2.50 drill and pro-rata widths, for mattress or pillow tickings, pocketings, footwear and clothing.

6 oz. combed twill for clothing.

7.5 oz. combed navy twill for footwear and foundation garments.

5 oz. wind resistant poplin for foundation garments and clothing.

9 oz. sateen for foundation garments, footwear and clothing.

(f) *Miscellaneous provisions—*(1) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref: M-326.

(4) *Appeals.* Any appeal from the provisions of paragraphs (c), (d) or (e) of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

Issued this 17th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-23284; Filed, December 21, 1943; 3:10 p. m.]

**PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM**

[Priorities Regulation 13, as Amended Dec. 22, 1943]

Section 944.34 *Priorities Regulation 13* is hereby amended to read as follows:

§ 944.34 *Priorities Regulation 13—*  
(a) *Purpose of this regulation.* This reg-

ulation, in general, describes the rules under which materials may be sold by persons who are not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or excess materials, the regulation is broader in its scope. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed, may sell off the idle or excess materials only under the rules in this regulation and, if he follows this regulation, he does not have to look to any other order or regulation except in a few cases which are described below. This regulation also controls liquidation sales, bankruptcy sales, general auction sales, and other sales which are not considered sales in the regular course of business.

(b) *Special definitions used in this regulation.* This regulation deals only with "special sales" of "industrial materials." As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of material by a person who does not, in the regular course of his business, sell that material in that form. A sale by a retailer or a wholesaler of items from his stocks is not a special sale because that is what the retailer or wholesaler makes a regular business of doing. For the same reason, a sale by a manufacturer of the product he makes is not a special sale. But if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Of if a contractor has bought material to build a building and cannot finish it and sells off the materials, that is a special sale because his business is building houses, not selling lumber and nails and pipe. Liquidation sales by trustees in bankruptcy, receivers and other kinds of liquidators (unless they are continuing to operate a business) and sales by auctioneers are special sales as that type of person is not considered to be regularly in the business of selling any particular products.

(2) "Industrial material" means the kind of material products are made out of, or which are put together to make other products. The definition includes simple material forms like pipe, metal sheet and rod, wire, lumber, chemicals and yarn. The definition does not include assembled parts or products, like motors, valves or drums or anything which has already been put together so that it is no longer in a simple form.

Also, the definition does not cover any of the following:

(i) Scrap. There are special orders covering the sale of certain types of scrap and, except in those cases, scrap may be sold to a scrap dealer.

(ii) Foods for humans or animals, medicines, tobacco, oils, fats and rationed products. These products are regulated by the War Food Administration or are rationed by another Government agency and so the orders of the War Production Board do not apply to their sale.

(iii) Tools. This regulation does not cover cutting tools, hand tools or any other tools.

(iv) Finished products which are bought to be used just as they are, and not to be used in making something else. For example, an ash tray, or a towel or a metal sign is used just as it is and is not used to make another product. But nails, bolts, nuts, wire, pipe, chemicals or a bolt of cloth are bought to be used in making something else and to be put together with other things, and they are covered by the regulation.

(3) "Used materials" means industrial materials which have been put into actual use. They may be sold freely to anyone unless special rules applying to the particular used material are set up in List A attached to this regulation.

(c) *Kinds of special sales of industrial materials which may be made.* If a person wants to make a special sale (as described above) of an industrial material (as described above), the rules in this regulation apply and only these rules. There is no need for the seller to look at any other order or regulation and in making a special sale these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The only exceptions to this rule are stated in paragraph (f) (2). The types of special sales which may be made are the following:

(1) *Materials not on List A.* If the holder's industrial material is not on List A, or is not made out of one or more of the materials on that list, he may sell freely to anyone.

(2) *Materials on List A.* If the industrial material that the seller wants to sell is one of the materials listed on List A attached to this regulation or is made out of one or more of those materials, the following are the only kinds of sales that can be made, and if the sale is permitted under any one of the following subparagraphs, it may be made:

(i) A holder may sell freely to one of the following Government corporations, or to anyone buying as agent for one of them: Commodity Credit Corporation,

Defense Supplies Corporation, Metals Reserve Company, or Rubber Reserve Company.

(ii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. This kind of permission can usually be given only by the War Production Board in Washington. Requests should be addressed to the Redistribution Division of the War Production Board and Form WPB-1161 (PD-470) should be used in making the request except in the case of aluminum, copper, copper base alloy, and iron and steel, in controlled material form for which special rules are provided in later paragraphs. Form WPB-1161 (PD-470) shows the kind of information which is needed before permission can be given. Copies of that form can be obtained in district or regional offices of the War Production Board.

(iii) A holder may sell freely to anyone if he has a total of less than \$100 worth of the particular material to be sold, unless it is one of the few materials for which special rules and amounts are stated in column 6 of List A. In deciding whether the holder has \$100 worth, he must count all material of the same type and composition. For example, all zinc sheet, or all cattle hides, or all cotton duck. This paragraph does not mean that a person may sell freely lots worth less than \$100 if he has more than that amount. It only allows the sale if all he has of that kind of material is worth less than \$100.

(iv) If the material is copper, copper base alloy, aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to a buyer who gives him an order bearing a CMP allotment symbol and number and this certification:

The undersigned certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.

Or the certification may be the optional form set out in CMP Regulation 7. In the case of steel the holder may also sell it to steel warehouses, dealers, or distributors on orders bearing the certifications described in M-21-b-1 and M-21-b-2.

(v) Special permission to sell controlled materials. The War Production Board may give special permission to sell idle or excess controlled materials for any use which is permitted under War Production Board orders or regulations either to a person who has no allotment or to a person who already has an allotment and an authorized production schedule under the Controlled Material Plan. This permission may be given only if the material has been reported to



the War Production Board as idle or excess and if the material is iron, steel, aluminum, copper or copper base alloy in controlled material form. If this permission is given, the holder need not get from the buyer the certification provided in paragraph (c) (2) (iv) above and if the buyer has an allotment he does not have to charge against his allotment account the amount of controlled materials bought under this special permission. In the case of copper and copper base alloy in controlled material form, the above permission may be given only if the buyer has a production schedule authorized under the Controlled Materials Plan and will use the material for the same purpose for which the production schedule was authorized. Either the buyer or the seller may apply for this permission in person or by writing, wiring or telephoning, giving full details about the size, shape, analysis, specifications and quantity of the material and the purpose for which it will be used. Requests for such permission should be directed to the Regional Office of the War Production Board for the region in which the material is located or to the appropriate materials division.

(vi) Sales may be made in accordance with List A. That list has four columns showing classes of buyers who might want to buy materials. Opposite each material on the list in each column is shown whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(3) *Special orders.* If the War Production Board, by an order or in any other way, has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they can do so.

(d) *Transfers within a company.* If a company wants to move material from one branch or subsidiary to another, but the transfer is not a sale because no money changes hands, the company should determine whether the branch or subsidiary which holds the material could sell it to the other for cash under this regulation. If so, the transfer may be made under this regulation just as though it were a sale even though it actually is not one.

(e) *Replacing material sold.* If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use the rating or allotment to replace the material he has sold. The effect of the rating or symbol or number stops when the seller receives it.

(f) *Sales not covered by this regulation.* (1) If a sale is not a "special sale" (as described in paragraph (b) (1)) or if the item to be sold is not an "industrial material" (as described in paragraph (b) (2)), this regulation does not gov-

ern the sale and any other pertinent orders or regulations apply. There are special orders which deal with some kinds of equipment, and there are general rules in § 944.11 of Priorities Regulation 1. Any field office of the War Production Board can give information about these orders.

(2) Provisions in any orders or regulations issued before December 22, 1943 which say that this regulation does not apply may be disregarded, except for WPB Directive 16, which provides special rules for aircraft inventory transfers, and Order P-98-c, which applies to special sales in the petroleum industry. To find the rules for making a special sale there is no need to refer to any order or regulation other than Priorities Regulation 13, outside of the two exceptions stated. However, if another order or regulation issued after December 22, 1943 expressly mentions Priorities Regulation 13 and says that this regulation does not apply to a particular type of sale, then that order or regulation takes the place of this regulation. If any seller is allowed to make a sale under this regulation, the buyer is permitted to buy and accept delivery, except that:

(i) The buyer may not violate any regulation or order controlling the quantity of material which he may have or buy or receive or the amount of any product he may make or the use that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iii) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of the material than he is permitted to have, the sale cannot be made.

(g) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(h) *Listing materials with the War Production Board.* If anyone has any excess idle or frozen material that he wants to sell, he should report it to his nearest War Production Board office, giving full details about its size, shape, analysis, specifications and quantity, and it will try to help him. This information will help to fill shortages.

(i) *Letters and questions.* Any letters or questions about this regulation should be sent either to the Redistribution Division of the War Production Board in Washington, marked "Ref: P. R. 13", or to any of the field offices of the

War Production Board, marked for the attention of the Redistribution Manager.

Issued this 22d day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST A

*Explanation.* This list is described in paragraph (c) (2) (vi) of the regulation. In column (1) are listed the scarce materials that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials. Holders of industrial material may refer to "Products and Priorities" a booklet issued monthly by the War Production Board, and if any material appears in there showing the same order number as a class of material on List A, the same outlets apply to that particular material. Columns (2), (3), (4), and (5) each apply to a type of possible buyer. Opposite each material in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) applies to persons who make or produce material in the form in which the holder bought it. This includes nonintegrated producers. If the holder bought copper wire, column (2) refers to a wire mill, which makes copper wire. If he bought a chemical, it refers to a company who makes or produces that kind of chemical.

Column (3) refers to persons who have a permitted use for the kind of material the holder has. If the holder has some leather to sell, column (3) would cover anyone else who has a permitted use for that kind of leather in making a product.

Column (4) refers to persons who buy new, rejected or second-grade materials, and who rework them. This includes persons who change the form of the material by redrawing or rerolling, etc. except that it does not include controlled material producers.

Column (5) refers to a wholesaler regularly dealing in the material the holder has. The term "Wholesaler" means anyone who regularly purchases the industrial material for resale but does not include anyone purchasing for resale to the consuming public at retail.

Column (6) contains notes which should be read whenever a star (\*) shows on the list.

If the list shows "No," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in column (6) allows certain kinds of sales. Paragraph (c) (2) (ii) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA-5," it means that the holder can sell to anyone who can give him an AA-5 priority rating for the sale, or a higher rating.

If the list shows "W. O. P.," it means the holder can sell to the person at the head of the column without any priority rating or allocation.

If the list shows "X," it means that there are no persons who fall in the description at the top of the column so far as that particular material is concerned.

As pointed out in the body of the regulation, no one may buy if in doing so he would break any rule about the amount of a material he may have, and no buyer may use material for a forbidden use. Also, the buyer must make any reports that are required by an order.

## CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) OF THIS REGULATION

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Representatives who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
<b>PART I—METALS AND METALLIC ORES</b>					
Alloy Steel (see Steel).	W. O. P.	W. O. P.*	X	W. O. P.	*Only for the manufacture of aluminum or abrasives.
Alumina	W. O. P.	No*	W. O. P.**	W. O. P.**	*Only to fill orders under paragraphs (c) (2) (iv) and (v) of the regulation. **Only to approved representatives and wholesale dealers. Lists available at WPB office.
Aluminum (new and used).*** In controlled material form	W. O. P.	No*	W. O. P.**	W. O. P.**	***A holder may sell freely to anyone if the total amount of aluminum held by him does not exceed \$25.00 in value.
Not in controlled material form	W. O. P.	No	W. O. P.**	W. O. P.**	
Antimony:	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores and concentrates, metal, liquated antimony and any alloy containing 55% or more of antimony by weight.
Antimony*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Chemicals (see Chemicals).					
Antimonial lead (see Lead).					
Babbitt (see Tin).	W. O. P.	W. O. P.*	X	X	*Only for the manufacture of alumina or abrasives.
Bauxite	W. O. P.	No	No	W. O. P.	*Includes ores, concentrates, and metal beryllium.
Beryllium*	W. O. P.	No	No	W. O. P.	
Bismuth	W. O. P.	No	No	W. O. P.	
Brass (see Copper).					
Brass mill and wire mill products (see Copper).					
Bronze (see Copper).					
Cadmium:					
Cadmium*	No	No	No	No	*Includes metallic cadmium in all forms, residues, dross, and other cadmium bearing material.
Chemicals (see Chemicals).					
Carbon steel (see Steel).					
Cast iron products (see Iron).					
Chromium:					
High carbon ferro-chromium over .50 carbon	W. O. P.	PR AA-5	X	W. O. P.	
Low carbon ferro-chromium under .50 carbon	W. O. P.	No	X	W. O. P.	
Cobalt*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores, concentrates, crucibles, residues, and all material from which cobalt is commercially recoverable.
Copper:					
In Controlled Material Form (new and used).***					***A holder may sell freely to anyone, any item of copper or copper base alloy material if the total amount of that item held by him (determined as provided in Para. (C), (2) (iii) of this regulation does not exceed \$25.00 in value. "Item" means any sheet, wire, rod, tube or cable made from copper or copper base alloy which is different from all other items of that form, by reason of one or more differences of its specifications such as size, shape, gauge, thickness, alloy, or insulation. Differences in temper or length do not differentiate items.
Brass Mill Products	W. O. P.	No*	No**	No**	*Only to fill orders under paragraphs (c) (2) (iv) and (v) of the regulation. **Only to persons holding allocations certificates or specific authorization to buy.
Wire Mill Products (Bare & Insul.)	W. O. P.	No*	No**	No**	
Copper & Copper Base Alloy Fdy. Products:	No*	No*	X	No*	
Not in Controlled Material Form (new and used).					
Production Materials (Ref. Shapes & Cu. & Cu. Base Alloy Ingots).	W. O. P.	No*	X	No*	
Semi-fabricated or Fabricated Un-assembled parts or products, etc.	W. O. P.	PR-AA5	PR-AA5	PR-AA5	
Corundum (see Part III).					
Cryolite	No	No	No	No	
Electrical resistance material*	No	No*	No	No	*Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat. **A holder may sell freely to anyone if the total amount of electrical resistance material held by him does not exceed \$25.00 in value. ***May be sold as provided for principal non-ferrous element.
Ferroalloys* (other than ferrocolumbium).					
Ferrocolumbium*	W. O. P.	W. O. P.**	X	X	*Includes any alloy containing 45% or more of columbium. **500 lbs. or less may be sold to any one buyer in any month.
Inconel (see Nickel).					
Iridium	W. O. P.	No	No	No	
Iron:					
Alloy iron castings*	W. O. P.	PR A-1-k	W. O. P.	X	*Does not include materials commonly known as "ferric-alloys."
Malleable iron castings	W. O. P.	PR A-2	W. O. P.	W. O. P.	
Pig iron	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wrought iron (see Steel and Wrought Iron).					
Cast iron products	W. O. P.	PR A-2	W. O. P.	W. O. P.	
Lead:					
Lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimonial lead	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Lithium:					
Lithium ore	W. O. P.	No	No	No	
Lithium chemicals (see Chemicals).					

## CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) OF THIS REGULATION—Continued

Industrial material	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WFB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
Magnesium and magnesium products*	W. O. P.	W. O. P.	W. O. P.**	No.	*Includes castings, extrusions, sheet, strip, plate, forgings and powder. **Only to approved reprocessors. Lists available at WFB offices.
Mercury:					
Mercury*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Including redistilled.
Mercury chemicals (see Chemicals).					
Molybdenum*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores, concentrates, metal, ferro-molybdenum and material from which molybdenum is commercially recoverable.
Monel (see Nickel).					
Nickel (new and used):					
Nickel pig, ingot, cathode, pellet, shot and anode.	W. O. P.	No.	No.	W. O. P.	
Other nickel* (including monel and inconel).	W. O. P.	PR AA-5.	No.	W. O. P.	*Includes any other alloyed or unalloyed metallic nickel, ferro-nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals).					
Nickel steel (see Steels).					
Osmium.	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Can be used only in electrical contacts.
Pig iron (see Iron).					
Platinum:					
Platinum.	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Rhodium:					
Rhodium.	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Silver:					
Foreign silver.	W. O. P.	No.	W. O. P.	W. O. P.	
Domestic silver.	W. O. P.	No.	W. O. P.	W. O. P.	
Treasury silver.	W. O. P.	No.	W. O. P.	W. O. P.	
Solder.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Stainless steel (see Steel).					
Steel and Wrought iron*					*A holder may sell freely to anyone any item of iron or steel if the total amount of that item held by him (determined as provided in Par. (c) (2) (III)) does not exceed \$25.00 in value. "Item" means steel or iron which is identical in form, shape, rolling treatment, (hot rolled or cold finished) chemistry, specifications, finish and size.
In controlled material form:					
Rails and track accessories*	No.	No.	No.	No.	*See I-88.
Tin plate, terné plate and tin mill black plate.*	W. O. P.	No.	No.	No.	*Subject to the limitations of MI-21-c.
All other controlled material forms of steel and wrought iron.	W. O. P.*	No.	No.	No.	**Only to fill orders under paragraphs (c) (2) (iv) and (v) of the regulation. *Also includes nonintegrated steel producers who further process steel. *See CMP Reg. 1 for list of controlled material forms.
Not in controlled material form: *					
Steel.	W. O. P.	PR AA-5.	PR AA-5.	PR AA-5.	
Wrought iron.	W. O. P.	PR A-9.	W. O. P.	W. O. P.	
Tantalum*	No.	No.	X.	No.	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Terné plate (see Steels).					
Tin:					
Tin.	No.	No.	No.	No.	
Babbitt.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin solder (see Solder).					
Tin bearing alloys.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Foil.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin mill black plate (see Steel).					
Tin plate (see Steel).					
Tool steel (see Steel).					
Tungsten*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores, concentrates, powder, metal in all forms, ferro-tungsten, and other materials containing commercially recoverable tungsten.
Uranium*	W. O. P.	No.	W. O. P.	W. O. P.	*Includes metal, crude ores, residues, matte and any alloy or mixture containing 1/2% of 1% or more uranium by weight.
Vanadium*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes ores, concentrates, metal, ferro-vanadium, and material containing commercially recoverable vanadium.
Welding rods and electrodes.	W. O. P.	PR AA-5.	X.	W. O. P.	
Wrought iron (see Iron).					
Zinc:					
Zinc.	W. O. P.	PR AA-5.	W. O. P.	W. O. P.	
Chemicals (see Chemicals).					
Dust.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
PART II—CHEMICALS					
Acetaldehyde.	W. O. P.	No.	W. O. P.	W. O. P.	*54 gals. Mo. <sup>1</sup>
Acetate, vinyl (and polymers of).	W. O. P.	No.	X.	No.	*25 lbs. Mo. <sup>1</sup>
Acetic anhydride*	W. O. P.	No.	X.	W. O. P.	*54 gals. Mo. <sup>1</sup>
Acetone.	W. O. P.	No.	X.	W. O. P.	**Also called ethanoic anhydride, acetyl oxide and acetic oxide. *5 drums Mo. <sup>1</sup>
Acids:					
Acetic.	W. O. P.	No.	X.	W. O. P.	*54 gals. Mo. <sup>1</sup>
Adipic**.	W. O. P.	No.	X.	W. O. P.	** Includes all derivatives except "Nylon."
Arsenious**.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	**Also called arsenic trioxide and white arsenic.
Citric.	W. O. P.	No.	X.	W. O. P.	*125 lbs. Mo. <sup>1</sup>
Maleic.	W. O. P.	No.	X.	W. O. P.	*200 lbs. Mo. <sup>1</sup>
Naphthene.	W. O. P.	No.	X.	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Sulfuric.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Phosphoric.	W. O. P.	No.	X.	W. O. P.	*5 tons Mo. <sup>1</sup>

<sup>1</sup> This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) OF THE REGULATION—Continued

Industrial material	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Processors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
<b>Acrylic Monomers and Acrylic Resins:</b>					
Cast sheet.....	W. O. P.	No*	X	W. O. P.	*50 sq. feet Mo. <sup>1</sup>
Molding sheet.....	W. O. P.	No*	X	W. O. P.	*50 sq. feet Mo. <sup>1</sup>
Molding powder.....	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Cast shapes.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Tube.....	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo. <sup>1</sup>
Rod.....	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo. <sup>1</sup>
Solution.....	W. O. P.	No*	X	W. O. P.	*450 lbs. Mo. <sup>1</sup>
Emulsion.....	W. O. P.	No*	X	W. O. P.	*450 lbs. Mo. <sup>1</sup>
Monomer.....	W. O. P.	No*	X	W. O. P.	*10 gals. Mo. <sup>1</sup>
Granular polymers.....	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Acrylonitrile**.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup> **Also called vinyl cyanide.
Agar.....	W. O. P.	W. O. P.	X	W. O. P.	
<b>Alcohols:</b>					
Butyl**.....	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup> **Includes isobutyl, secondary butyl, and tertiary butyl.
Capryl**.....	W. O. P.	No*	X	W. O. P.	*70 lbs. Mo. <sup>1</sup> **Also called methyl heptyl carbinol or 2-Octanol.
Ethyl.....	W. O. P.	No*	X	W. O. P.	*7,500 gals. quarter. <sup>1</sup>
<b>Hexahydric Alcohols:</b>					
d-Sorbitol.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Technical grade d-Sorbitol.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Commercial grade.....	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo. <sup>1</sup>
Mannitol-crystalline.....	W. O. P.	No*	X	W. O. P.	*250 gals. Mo. <sup>1</sup>
<b>Higher Aliphatic Alcohols:</b>					
Capryl alcohol.....	W. O. P.	No*	X	W. O. P.	*70 lbs. Mo. <sup>1</sup>
Octanol.....	W. O. P.	No*	X	W. O. P.	*370 lbs. Mo. <sup>1</sup>
Normal octanol.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Normal decanol.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Lauryl alcohol.....	W. O. P.	No*	X	W. O. P.	*250 lbs. Mo. <sup>1</sup>
Mixed aliphatic alcohols.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Isopropyl**.....	W. O. P.	No*	X	W. O. P.	*270 gals. Mo. <sup>1</sup> **Also called secondary propanol.
Methyl (methanol).....	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
<b>Alcohols, denaturants:</b>					
Acetaldo.....	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
Dehydrol.....	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
G. C. 78.....	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
St. 115.....	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
<b>Alkanolamines:</b>					
Allyl Alcohol.....	W. O. P.	No*	X	X	*50 lbs. Mo. <sup>1</sup>
Allyl Chloride.....	W. O. P.	No*	X	X	*50 lbs. Mo. <sup>1</sup>
Aluminum hydrate.....	W. O. P.	No*	X	W. O. P.	
Aluminum chloride, anhydrous.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
<b>Ammonia:</b>					
By-product ammonia**.....	W. O. P.	No*	X	W. O. P.	**Includes salts and solutions.
Sulphate of ammonia**.....	W. O. P.	W. O. P.	X	W. O. P.	**Containing 20.5% nitrogen or less.
Synthetic ammonia**.....	W. O. P.	No*	X	W. O. P.	**Includes salts and solutions.
Aniline, aniline oil, and aniline salts.....	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo. <sup>1</sup>
Antimony sulphide.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony oxide.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony chemicals, other.....	W. O. P.	W. O. P.	X	W. O. P.	
Aromatic petroleum solvents** (excluding toluol and benzol).....	W. O. P.	No*	X	W. O. P.	*50 gals. Mo. <sup>1</sup> **Includes solvents or naphthas of petroleum origin containing more than 25% of aromatic hydrocarbons and all grades of Nylol.
Barbasco root.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Benzene.....	W. O. P.	No*	No	W. O. P.	*50 Gals. Mo. <sup>1</sup>
Benzene containing oils.....	W. O. P.	No*	No	W. O. P.	
Beryllium chemicals.....	W. O. P.	No*	No	W. O. P.	
Butadiene.....	W. O. P.	No*	X	W. O. P.	*125 lbs. Mo. <sup>1</sup>
2-Butanol.....	W. O. P.	No*	X	W. O. P.	
Butyl phthalyl butyl glycolate.....	W. O. P.	No*	X	W. O. P.	*25 gals. Mo. <sup>1</sup>
Cadmium pigment.....	W. O. P.	No*	No	W. O. P.	*25 lbs. Mo. <sup>1</sup>
Calcium carbide.....	W. O. P.	No*	X	W. O. P.	*10 tons Mo. <sup>1</sup>
Calcium hypochlorite, high test**.....	W. O. P.	No*	X	No	*Available chlorine content 65% or more by weight.
Calcium metal.....	W. O. P.	No*	X	W. O. P.	*3 lbs. Mo. <sup>1</sup>
Other forms.....	W. O. P.	No*	X	W. O. P.	*2 lbs. Mo. <sup>1</sup>
Carbolates, containing 10% or more of phenols (see Phenols).....					
Carbon black, furnace type.....	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Carbon tetrachloride.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Casein.....	W. O. P.	No*	No	W. O. P.	*125 lbs. Mo. <sup>1</sup>
Castor oil phthalate.....	W. O. P.	No*	X	W. O. P.	*25 gals. Mo. <sup>1</sup>
Castor oil phthalate hydrogenated.....	W. O. P.	No*	X	W. O. P.	*25 gals. Mo. <sup>1</sup>
Cellulose acetate**.....	W. O. P.	No*	X	W. O. P.	**In primary unfabricated forms.
Cellulose acetate butyrate**.....	W. O. P.	No*	X	W. O. P.	**In primary unfabricated forms.
Cellulose ester flake**.....	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo. <sup>1</sup> **Including cellulose acetate flake, cellulose acetate, butyrate flake, cellulose acetate propionate.
<b>Cellulose ester sheets, rods, tubes and molding powder:</b>					
Cellulose plastic molding powder.....	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Cellulose plastic sheets.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Cellulose plastic rods.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Cellulose plastic tubes.....	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Cellulose nitrate, plasticized**.....	W. O. P.	W. O. P.	X	X	**In primary unfabricated forms, except that used in explosives and protective coatings.
Charcoal.....	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo. <sup>1</sup>
Chestnut extract.....	No	No	No	No	
Chlorate and perchlorate chemicals**.....	W. O. P.	No*	No	W. O. P.	*25 lbs. Mo. <sup>1</sup> **Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates; perchloric acid; and any other chlorate or perchlorate chemical.

\*This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) OF THIS REGULATION—Continued

Industrial material	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
Chlorobenzenes:					
Monochlorobenzene.....	W. O. P.	W. O. P.	X	W. O. P.	
Orthodichlorobenzene.....	W. O. P.	W. O. P.	X	W. O. P.	
Paradichlorobenzene.....	W. O. P.	W. O. P.	X	W. O. P.	
Chlorethylene.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Chloride of lime**.....	W. O. P.	W. O. P.	X	W. O. P.	**Calcium hypochlorite with available chlorine content of from 30 to 65% weight.
Chlorine.....	W. O. P.	No.	X	W. O. P.	
Chlorinated hydrocarbon solvents.....	W. O. P.	No.	No.	W. O. P.	
Chlorinated rubber (see Rubber Part III).					
Chromium Chemicals.....	W. O. P.	No.	No.	W. O. P.	*4,000 lbs. Mo. aggregate. <sup>1</sup>
Cobalt-oxide.....	W. O. P.	No.	X	W. O. P.	
Copper carbonate.....	W. O. P.	No.	W. O. P.	W. O. P.	*300 lbs. quarter. <sup>1</sup>
Copper chloride.....	W. O. P.	No.	W. O. P.	W. O. P.	*300 lbs. quarter. <sup>1</sup>
Copper cyanide.....	W. O. P.	No.	W. O. P.	W. O. P.	*300 lbs. quarter. <sup>1</sup>
Copper nitrate.....	W. O. P.	No.	W. O. P.	W. O. P.	*300 lbs. quarter. <sup>1</sup>
Copper oxide.....	W. O. P.	No.	W. O. P.	W. O. P.	*300 lbs. quarter. <sup>1</sup>
Copper sulphate.....	W. O. P.	No.	W. O. P.	W. O. P.	*1,500 lbs. quarter. <sup>1</sup>
Cotton pulp, chemical.....	W. O. P.	No.	X	W. O. P.	
Cresols: ortho, meta, and para.....	W. O. P.	No.	No.	W. O. P.	
Cyanamid.....	W. O. P.	No.	X	W. O. P.	
DDT.....	W. O. P.	No.	X	W. O. P.	*1 lb. Mo. <sup>1</sup>
Diacetone.....	W. O. P.	No.	X	W. O. P.	*5 drums Mo. <sup>1</sup>
Diamyl phthalate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Di-butoxy ethyl phthalate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Dibutyl phthalate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Dicapryl phthalate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Dichlorethyl ether.....	W. O. P.	No.	No.	No.	
Dichlorodifluoromethane.....	W. O. P.	W. O. P.	X	W. O. P.	
Dicyandamide.....	W. O. P.	No.	X	W. O. P.	
Di-cyclohexyl phthalate.....	W. O. P.	W. O. P.	X	W. O. P.	
Diethanolamine.....	W. O. P.	No.	X	W. O. P.	*5 gals. Mo. <sup>1</sup>
Diethyl phthalate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Di-2-ethyl hexyl phthalate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Di-ethoxy ethyl phthalate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Di-methyleyclohexyl phthalate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Dimethyl phthalate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Diphenylamine**.....	W. O. P.	No.	X	W. O. P.	**Also called phenylaniline.
Dyestuffs and organic pigments.....	W. O. P.	No.	X	W. O. P.	
Ethyl acetate.....	W. O. P.	No.	W. O. P.	W. O. P.	*270 gals. Mo. of ethyl acetate and isopropyl acetate. <sup>1</sup>
Ethyl cellulose.....	No.	No.	X	W. O. P.	*10 lbs. Mo. <sup>1</sup>
Ethyl chloride.....	W. O. P.	W. O. P.	X	W. O. P.	
Ethylene dichloride.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethyl phthalyl ethyl glycolate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Formaldehyde.....	W. O. P.	No.	X	W. O. P.	*555 lbs. Mo. <sup>1</sup>
Furfural.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Gasoline Gum inhibitors.....	W. O. P.	No.	X	W. O. P.	*10 lbs. Mo. <sup>1</sup>
Glycols:					
Ethylene.....	W. O. P.	No.	X	W. O. P.	*5,000 lbs. Mo. <sup>1</sup>
Propylene.....	W. O. P.	No.	X	W. O. P.	*950 lbs. Mo. <sup>1</sup>
Diethylene.....	W. O. P.	No.	X	W. O. P.	*1,000 lbs. Mo. <sup>1</sup>
Triethylene.....	W. O. P.	No.	X	W. O. P.	*250 lbs. Mo. <sup>1</sup>
Mixed glycols.....	W. O. P.	No.	X	W. O. P.	*250 lbs. Mo. <sup>1</sup>
Glycol ethers:					
Monobutyl ether of ethylene glycol.....	W. O. P.	No.	X	W. O. P.	*400 lbs. Mo. <sup>1</sup>
Monomethyl ether of ethylene glycol.....	W. O. P.	No.	X	W. O. P.	*430 lbs. Mo. <sup>1</sup>
Monoethyl ether of ethylene glycol.....	W. O. P.	No.	X	W. O. P.	*410 lbs. Mo. <sup>1</sup>
Monoethyl ether of diethylene glycol.....	W. O. P.	No.	X	W. O. P.	*450 lbs. Mo. <sup>1</sup>
Guanidine.....	W. O. P.	No.	X	W. O. P.	
Hexamethylenetetramine.....	W. O. P.	No.	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Hydrogenated methyl abietate.....	W. O. P.	W. O. P.	X	W. O. P.	
Isobutyl castor oil phthalate.....	W. O. P.	W. O. P.	X	W. O. P.	
Isopropyl acetate.....	W. O. P.	No.	W. O. P.	W. O. P.	*270 gals. Mo. of isopropyl acetate and ethyl acetate.
Lithopone.....	W. O. P.	W. O. P.	X	W. O. P.	
Lithium chemicals**.....	W. O. P.	No.	No.	W. O. P.	**Excluding crude lithium sodium phosphato.
Magnesium oxide, light.....	W. O. P.	No.	X	W. O. P.	*200 lbs. Mo. <sup>1</sup>
Maleic Anhydride.....	W. O. P.	No.	X	W. O. P.	*500 lbs. Mo. <sup>1</sup>
Melamine Aldehyde molding compound and resins.....	W. O. P.	No.	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Mercury chemicals.....	W. O. P.	W. O. P.	X	W. O. P.	
Methacrylic acid (see acrylic monomer and acrylic resins).					
Methanol.....	W. O. P.	No.	X	W. O. P.	
Methyl ethyl ketone.....	W. O. P.	No.	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
Methyl Isobutyl ketone.....	W. O. P.	No.	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
Methyl phthalyl ethyl glycolate.....	W. O. P.	No.	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Mineral oil polymers.....	W. O. P.	No.	X	W. O. P.	*50 gals. Mo. <sup>1</sup>
Molding compounds:					
Melamine aldehyde.....	W. O. P.	No.	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Phenolic.....	W. O. P.	No.	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Urea aldehyde.....	W. O. P.	No.	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Monoethanolamine.....	W. O. P.	No.	X	W. O. P.	*5 gals. Mo. <sup>1</sup>
Naphthalene.....	W. O. P.	No.	W. O. P.	W. O. P.	
Naphthanates**.....	W. O. P.	No.	X	W. O. P.	*50 gals. Mo. <sup>1</sup>
Naptha, high flash.....	W. O. P.	No.	X	W. O. P.	**Excluding crude or refined sodium naphthanate intended for manufacture of other naphthanates.
Nickel chemicals**.....	W. O. P.	No.	No.	W. O. P.	*60 gals. Mo. <sup>1</sup>
Oleum.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	**Salts, oxides, and carbonates.
Oxidized petroleum.....	W. O. P.	W. O. P.	X	W. O. P.	
Paint, Aluminum.....	W. O. P.	No.	X	W. O. P.	
Paraformaldehyde.....	W. O. P.	No.	X	W. O. P.	*555 lbs. Mo. <sup>1</sup>
Pentaerythritol.....	W. O. P.	No.	X	W. O. P.	*350 lbs. Mo. <sup>1</sup>
Perchlorate chemicals.....	W. O. P.	No.	No.	W. O. P.	*25 lbs. Mo. <sup>1</sup>
Perchloroethylene.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Perchloric acid.....	W. O. P.	No.	No.	W. O. P.	*25 lbs. Mo. <sup>1</sup>

<sup>1</sup> This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.



CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) OF THIS REGULATION—Continued

Industrial material	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Representatives who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
Phenols (tar acids)**	W. O. P.	No*	No.	W. O. P.	**25 gals. Mo. <sup>1</sup> **Includes: phenol, cresols, and Xylenols and mixtures thereof.
Phosphorus (yellow and white)	W. O. P.	No*	W. O. P.	W. O. P.	**1,000 lbs. Mo. <sup>1</sup>
Phthalic anhydride	W. O. P.	No*	X	W. O. P.	**500 lbs. Mo. <sup>1</sup>
Plasticizers:					
Phosphate**	No.	No*	X	No.	**100 lbs. Mo. <sup>1</sup> **Triacetyl and triphenyl.
Phthalate	W. O. P.	No*	X	W. O. P.	**25 gals. Mo. <sup>1</sup>
Plastics, cellulose (see cellulose ester flake).					
Platinum chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Polyethylene	W. O. P.	No.	X	W. O. P.	
Polystyrene**	W. O. P.	No*	X	W. O. P.	**30 lbs. Mo. <sup>1</sup> **In primary unfabricated forms.
Polyvinyl acetate	W. O. P.	No*	X	W. O. P.	**30 lbs. Mo. <sup>1</sup>
Polyvinyl butyral resin	W. O. P.	No*	X	W. O. P.	**30 lbs. Mo. <sup>1</sup>
Polyvinyl formal	W. O. P.	No*	X	W. O. P.	**30 lbs. Mo. <sup>1</sup>
Potash**	W. O. P.	No*	X	W. O. P.	**1 ton Mo. <sup>1</sup> **Includes: muriate of potash, sulphate of potash, sulphate of potash-magnesia, and run-of-the-mine potash.
Potassium tantalum fluoride	No.	No.	X	No.	
Pyrethrum	W. O. P.	No.	W. O. P.	W. O. P.	
Pyridine	W. O. P.	No*	No.	W. O. P.	**20 lbs. Mo. <sup>1</sup>
Resins:					
Melamine aldehyde	W. O. P.	No*	X	W. O. P.	**1,000 lbs. Mo. <sup>1</sup>
Para-phenyl-phenol	W. O. P.	No*	X	W. O. P.	**3 lbs. Mo. <sup>1</sup>
Phenolic	W. O. P.	No*	X	W. O. P.	**20 lbs. Mo. <sup>1</sup>
Phthalic alkyd	W. O. P.	No*	X	W. O. P.	**500 lbs. Mo. <sup>1</sup>
Urea aldehyde	W. O. P.	No*	X	W. O. P.	**1,000 lbs. Mo. <sup>1</sup>
Rhodium chemicals	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rotenone	W. O. P.	No*	W. O. P.	W. O. P.	**5 lbs. or 1 gal. Mo. <sup>1</sup>
Rubber, synthetic (see Rubber, Part III).					
Shellac	W. O. P.	No.	X	W. O. P.	
Sodium metallic	W. O. P.	No*	X	W. O. P.	**100 lbs. Mo. <sup>1</sup>
Sodium metasilicate	W. O. P.	No*	X	W. O. P.	**500 lbs. Mo. <sup>1</sup>
Sodium nitrate	W. O. P.	W. O. P.	X	W. O. P.	
Sodium phosphates	W. O. P.	No*	X	W. O. P.	**1,000 lbs. Mo. <sup>1</sup>
Stabilized rosin	W. O. P.	No*	X	W. O. P.	**100 lbs. Mo. <sup>1</sup>
Stybelite	W. O. P.	No.	X	No.	
Styrene	W. O. P.	No*	X	W. O. P.	**30 lbs. Mo. <sup>1</sup>
Synthetic resins (see Resins).					
Synthetic rubber (see Rubber, Part III).					
Tanning Materials, Vegetable (see Part III).					
Tantalum chemicals**	No.	No.	X	No.	**Potassium tantalum fluoride tantalum oxide, tantalum carbide.
Tapioca flour	W. O. P.	W. O. P.	X	W. O. P.	
Tin chemicals	No.	No.	No.	No.	
Titanium pigments	W. O. P.	W. O. P.	X	W. O. P.	
Toluene (toluol)	W. O. P.	No*	No.	W. O. P.	**5 gals. Mo. <sup>1</sup>
Tributyl glycerol triphthalate	W. O. P.	No*	X	W. O. P.	**25 gals. Mo. <sup>1</sup>
Trichlorethylene	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Triethanolamine	W. O. P.	No*	X	W. O. P.	**20 lbs. Mo. <sup>1</sup>
Tungsten chemicals	W. O. P.	No.	W. O. P.	W. O. P.	
Uranium chemicals	W. O. P.	No.	W. O. P.	W. O. P.	
Vanadium chemicals	W. O. P.	No.	W. O. P.	W. O. P.	
Vat dyes (see Dyestuffs).					
Vinyl Polymers**	W. O. P.	No*	X	W. O. P.	**20 lbs. Mo. <sup>1</sup> **Plasticized or unplasticized polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products.
Xylenols	W. O. P.	No.	No.	W. O. P.	
Xylol	W. O. P.	No*	X	W. O. P.	**20 gals. Mo. <sup>1</sup>
Zinc oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zinc sulphide-pigments	W. O. P.	W. O. P.	X	W. O. P.	
PART III—MISCELLANEOUS					
Agave Cordage	W. O. P.	W. O. P.	No.	W. O. P.	
Agave fibre:					
Suitable for cordage	No.	No.	No.	No.	
Not suitable for cordage	No.	W. O. P.	No.	No.	
Asbestos fibre	W. O. P.	W. O. P.	X	W. O. P.	
Asbestos textiles	W. O. P.	W. O. P.	X	W. O. P.	
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Bristles, pigs' and hogs' (two inches and over)	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Broom Corn	W. O. P.	W. O. P.	X	W. O. P.	
Burlap	W. O. P.	W. O. P.	No.	W. O. P.	
Cantala (see Agave fibre)					
Cattlehides, calf and kip skins (raw)	W. O. P.	W. O. P.	X	W. O. P.	
Cattle tail hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Coir fibre	W. O. P.	W. O. P.	No.	W. O. P.	
Coir products	W. O. P.	W. O. P.	No.	W. O. P.	
Coke, petroleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cork	W. O. P.	W. O. P.	X	W. O. P.	
Corundum*	W. O. P.	No.	No.	W. O. P.	**Emery, ruby, sapphire and Boulder Corundum BC Fines are not included.
Cotton duck (see Duck).					
Cotton, American extra staple, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton, Egyptian, reserved	W. O. P.	No.	X	W. O. P.	
Cotton linters*	W. O. P.	W. O. P.	X	W. O. P.	
Deerskins*	W. O. P.	W. O. P.	X	W. O. P.	
Diamonds, industrial*	W. O. P.	PR A-1-J	PR A-1-J	PR A-1-J	**Produced after July 31, 1943. **Suitable for military use. **Report sales as required by M-103.
Diamond dies*	W. O. P.	No.	No.	No.	**Sizes .0015 and smaller.
Duck, Cotton*	W. O. P.	PR AA-5	X	W. O. P.	**Width 15" to 87".
Feathers: Waterfowl (new or used)	No*	No*	No*	W. O. P.	**Only to persons holding purchase permits issued pursuant to M-102 or to the Philadelphia Quartermaster Depot.

\* This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) OF THIS REGULATION—Continued

Industrial material	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
Flax fibre products.....	W. O. P.....	W. O. P.....	No.....	W. O. P.....	
Flax fibre.....	W. O. P.....	W. O. P.....	No.....	W. O. P.....	
Graphite, strategic grades.....	No.....	No.....	No.....	No.....	
Hemp seeds.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Hemp Suan.....	W. O. P.....	W. O. P.....	No.....	W. O. P.....	
Hennequen (see Agave fibre)					
Horsehide*.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	*Suitable for military use.
Horse Mane Hair.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Hull fibre*.....	W. O. P.....	No.....	X.....	W. O. P.....	*Produced after July 31, 1943.
Istle, raw*.....	W. O. P.....	W. O. P.....	No.....	W. O. P.....	* Unprocessed istle.
Jewel bearings.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Jewel bearing material*.....	W. O. P.....	No.....	X.....	W. O. P.....	*Natural spinel not included.
Jute:					
Raw jute.....	W. O. P.....	W. O. P.....	No.....	W. O. P.....	
Jute products.....	W. O. P.....	W. O. P.....	No.....	W. O. P.....	
Kapok.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Leather, sole*.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	*Suitable for military use.
Logs (see Woods)					
Loofa sponges*.....	W. O. P.....	PR A-1-a	X.....	W. O. P.....	*Suitable for military use.
Maguay (see Agave fibre). *					
Mahogany (see Woods).					
Manilla fibre and cordage:					
Cordage.....	W. O. P.....	W. O. P.....	No.....	W. O. P.....	
Fibre.....	No.....	No.....	No.....	No.....	*May be sold W. O. P. to the U. S. Navy.
Mica:					
Strategic.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Splittings.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Nylon.....	W. O. P.....	No.....	No.....	No.....	
Nylon waste.....	W. O. P.....	No.....	W. O. P.....	No.....	
Old wool clips (see Wool).					
Paint, aluminum.....	W. O. P.....	No.....	No.....	W. O. P.....	
Plywood (see Woods).					
Quartz crystals.....	X.....	No.....	No.....	No.....	
Rattan (see Woods).					
Rayon yarn, high tenacity.....	W. O. P.....	No.....	No.....	No.....	
Rayon yarn reserved.....	No.....	No.....	No.....	No.....	
Rubber:					
Latex and crude.....	No.....	No.....	No.....	No.....	
Balata.....	No.....	No.....	No.....	No.....	
Compounded latex.....	No.....	No.....	No.....	No.....	
Chlorinated.....	W. O. P.....	No.....	No.....	No.....	
Synthetic.....	W. O. P.....	No.....	No.....	X.....	
Reclaimed.....	W. O. P.....	W. O. P.....	W. O. P.....	No.....	*With approval of Rubber Reserve Co.
Rubber products:					
Cement.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Elastic thread.....	No.....	No.....	X.....	No.....	
Elastic fabrics.....	No.....	No.....	X.....	No.....	
Yarn.....	No.....	No.....	X.....	No.....	
Other products.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Silk:					
Raw.....	No.....	No.....	X.....	No.....	
Waste, noils, etc.....	No.....	W. O. P.**	W. O. P.**	W. O. P.....	**Use certificate required.
Sisal (see Agave fibre).					
Sole leather (see Leather).					
Tanning material, vegetable*.....	No.....	No.....	No.....	No.....	*Only to Defense Supplies Corp. or any other agency designated by W. P. B.
Wood pulp.....	No.....	No.....	X.....	No.....	
Woods:					
Balsa.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Logs:					
Black Walnut.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Douglas Fir.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Noble Fir.....	No.....	No.....	No.....	No.....	
Port Orford Cedar and derivatives.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Sitka Spruce.....	No.....	No.....	No.....	No.....	
Western Hemlock, aircraft.....	No.....	No.....	No.....	No.....	
White Oak.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Mahogany:					
Firsts, Seconds, Selects.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Wormy grades (pattern stock).....	W. O. P.....	PR AA-1	PR AA-1	W. O. P.....	
No. 1, common and poorer.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Plywood:					
o Softwood.....	W. O. P.....	PR AA-5	X.....	W. O. P.....	
Hardwood.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Rattan, round.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Rattan, slab.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Wool:					
Wool.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
OD Clips.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	

[F. R. Doc. 43-20306; Filed, December 22, 1943; 10:07 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Direction 1]

COPPER TUBING FOR DISTRIBUTORS OF AUTOMOTIVE, HEATING AND REFRIGERATION REPAIR PARTS

The following direction was issued pursuant to CMP Regulation 9A:

(a) *What this direction does.* This direction tells distributors of automotive equip-

ment, heating equipment (gas or oil burning), and refrigeration equipment how to get copper tubing to sell to repairmen for use in repairing such equipment.

(b) *What distributors can buy copper tubing under this direction.* Distributors of refrigeration equipment, distributors of gas or oil burner equipment, and distributors of automotive equipment who were in business on August 1, 1943 and who sold copper tubing for refrigeration, gas or oil burner or automotive repair purposes in 1941 may buy copper tubing under this direction. Warehouses

who are authorized to replace brass mill stocks providing they file Form WPB-3007 may not obtain copper tubing under this direction.

(c) *How distributors get copper tubing.* A distributor of the kind covered in paragraph (b) may order for delivery in any calendar quarter up to 6000 pounds of copper tubing. He may endorse his orders for this tubing with the CMP allotment number V-3 and the CMP Regulation No. 7 certification. An order bearing this endorsement signed manually, or in the way as described in Priorities Regu-

lation No. 7 is an authorized controlled material order under all CMP Regulations. A distributor who had more than one distribution point on August 1, 1943 may order up to 6000 pounds of copper tubing in each calendar quarter for delivery to each distribution point.

(d) *How a distributor may apply for additional tubing.* A distributor who needs more copper tubing than this direction allows, or who is not permitted under this direction to buy copper tubing for sale for repair purposes may apply by letter to the nearest War Production Board Field Office for authorization to buy the tubing he needs, stating how much copper tubing he needs for resale and why he needs that amount. If he needs more than a total of 12,000 pounds a quarter, he should apply to the Copper Division, War Production Board, Washington 25, D. C., stating how much copper tubing he needs and why he needs that amount.

(e) *Persons to whom distributors may sell copper tubing.* A distributor may sell copper tubing bought under this direction only on an order placed under paragraph (c) of CMP Regulation No. 9A by (i) a refrigeration repairman, (ii) an automotive repairman and (iii) a gas or oil burner repairman. In the latter case only copper tubing of a type suitable for use for repair of functional parts of gas burning and oil burning heating equipment (excluding piping system connected with such equipment) may be sold.

(f) *Restrictions on inventory.* A distributor may not accept deliveries of copper tubing ordered under this direction if his inventory of copper tubing already is, or will be, on accepting a delivery, more than a thirty-day's supply. However, if the supply of copper tubing which he has on hand is less than the permitted amount, he may accept delivery of the smallest commercial amount of that item of copper tubing which his distributor normally sells even if that will increase his supply beyond the amount specified.

(g) *Compliance with WPB orders and regulations.* Distributors operating under this direction must observe the restrictions of all applicable WPB orders and regulations. Attention is called to the provisions of M-9-c and M-9-c-4 which restrict the use of copper.

NOTE: This reporting requirement passed by Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 22d day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-20307; Filed, December 22, 1943;  
11:08 a. m.]

#### Subchapter C—Director, Office of War Utilities

#### PART 4500—POWER, WATER, GAS AND CENTRAL STEAM HEAT<sup>1</sup>

[Limitation Order L-174 as Amended  
Dec. 22, 1943]

#### MANUFACTURED GAS

Whereas because of increased manufactured gas requirements for war production and civilian uses, because of scarcity of materials for the construction and operation of manufactured gas plants, mains and other facilities, and because of shortages of transportation facilities to haul fuel and materials used in the production of manufactured gas, shortages of manufactured gas have occurred in certain areas of the United States and are threatened in others; and

Whereas during periods of adverse weather conditions, the demand for manufactured gas in many areas may increase beyond the capacity for existing facilities to meet such demand; and

Whereas the limitations upon deliveries of manufactured gas hereinafter ordered are necessary in order to maintain deliveries of manufactured gas to war industries and essential civilian services; now, therefore, it is ordered:

§ 4500.53<sup>1</sup> *General Limitation Order L-174—(a) Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Utility" means any person in the United States engaged in producing, transmitting or supplying manufactured gas directly or indirectly for general use by the public. Any system supplying natural or mixed natural and manufactured gas is not subject to this order but is subject to the provisions of Limitation Order L-31.

(3) "Non-utility producer" means any person who owns or operates any gas production or transmission facilities and who is not included in the definition of "utility" in paragraph (a) (2).

(4) "Consumer" means any ultimate user of manufactured gas produced, transmitted or distributed by any utility or by any non-utility producer which is interconnected with any utility.

(5) "Manufactured gas" means any combustible gas produced by any manufacturing process (other than liquefied petroleum gas unmixed with any gas produced by any other manufacturing process).

(6) "Standby facilities" means equipment designed to use a fuel other than fuel oil to replace manufactured gas, and for the operation of which a supply of such fuel is obtainable.

(7) "Space heating equipment" means equipment used for the purpose of raising atmospheric temperature in any building or portion thereof.

(b) *Gas system operations.* (1) Each utility shall so operate its gas manufacturing, transmission, storage, distribution, and other facilities, as to achieve so far as practicable the maximum output of gas in any area in which a shortage of manufactured gas exists or is imminent. Where necessary for the above purposes, the War Production Board will from time to time issue directions as to the operation of gas manufacturing, transmission, storage, distribution or other facilities, and as to deliveries of gas.

(2) Each utility shall, as soon as practicable, make an investigation of the type, amount, and availability of any manufactured gas production facilities owned or operated by any non-utility producer located in or near its operating area, whether or not interconnected with such utility, and shall make such arrangements (including arrangements for interconnections where feasible) as can be made by means of voluntary agreement among the parties and as may be necessary or advisable to meet or to anticipate

shortages of manufactured gas. Where such arrangements require the use of materials in excess of those available under any priority order issued by the War Production Board application for authority to use or to acquire such materials shall be made to the War Production Board in accordance with established procedures. In any case in which efforts to complete voluntary arrangements fail, the utility shall report the fact to the War Production Board, setting forth all pertinent information. The War Production Board will, where necessary to accomplish the purposes of this order, issue specific directions to utilities and non-utility producers as to the integration of manufactured gas facilities.

(3) Upon notice from the War Production Board to any non-utility producer that a gas shortage exists or is imminent in any area served by any utility with which such non-utility producer is interconnected, such non-utility producer shall so order its operations as to make available for delivery to such utility all manufactured gas which it is capable of producing or supplying and which is not essential for its own operations, unless the War Production Board shall, upon application, determine that such gas, because of differences in heat value or chemical composition, cannot practicably be mixed with the gas supplied by such utility. It shall also make available for delivery to such utility further quantities of gas in accordance with directions of the War Production Board.

(c) *Limitations on deliveries of manufactured gas.* (1) In the event of a gas shortage in any area, each utility supplying such area shall reduce deliveries to consumers in accordance with the following schedule and with such further directions as the War Production Board may, from time to time, issue: *Provided*, That to the extent, if any, required by the emergency nature of the shortage, such utility may in the first instance reduce deliveries without regard to such schedules, but shall as soon as possible thereafter readjust its operations and deliveries to conform in all respects to such schedule during the continuance of the gas shortage.

(i) First, the utility shall, within the limits of its contractual rights, reduce deliveries to all consumers purchasing manufactured gas under contracts permitting the supplier to interrupt deliveries: *Provided*, That deliveries of gas necessary for the maintenance of the war production and essential civilian services listed in Exhibit A, as the same may be amended from time to time, shall be reduced only to the extent that the fuel requirements for such production and services can be supplied from the consumer's standby facilities.

(ii) Second, the utility shall without regard to its contractual rights or those of any consumer, reduce deliveries to all consumers who have standby facilities to the extent to which the operation of such facilities can directly or indirectly alleviate the shortage of manufactured gas in the area.

(iii) Third, the utility shall to the extent necessary, reduce deliveries to all commercial and industrial consumers

<sup>1</sup> Formerly Part 3039, § 3039.1.

except to the extent that such deliveries are necessary for the maintenance of the war production and essential civilian service listed in Exhibit A or to prevent permanent damage to the production facilities of such consumers. Such reductions shall be made insofar as practicable on a uniform proportionate basis.

(iv) Fourth, if after effectuating the reduction in deliveries of gas required by or pursuant to the foregoing provisions of this paragraph, it becomes necessary to curtail deliveries of gas for the maintenance of the war production and essential civilian service listed in Exhibit A, the utility shall insofar as practicable reduce such deliveries on a uniform proportionate basis.

(v) Notwithstanding any other provision of this order, if the War Production Board, after investigation, shall determine that any consumer having standby facilities has failed to provide himself with an adequate supply of fuel for the operation of such standby facilities despite the availability of such fuel, the War Production Board, may prohibit deliveries of gas to, and acceptances of gas by, such consumer to the extent that his requirements of gas could have been decreased through the operation of such standby facilities.

(2) The War Production Board may issue such directions with respect to reductions in deliveries to residential consumers as may be necessary to alleviate gas shortages.

(3) The War Production Board may require any utility to file a specific curtailment schedule listing consumers proposed to be curtailed and the order of their curtailment during gas shortages and may issue such directions with respect thereto as may be necessary to assure compliance with the provisions of this paragraph (c).

(4) Whenever, pursuant to paragraph (c) (1) or (c) (2) above or any directions issued thereunder, any utility is obliged to reduce deliveries to any consumer, such utility shall so inform each consumer to be curtailed, and each such consumer shall, upon such notification, reduce his acceptance of deliveries of manufactured gas in accordance with such notification.

(5) Whenever any utility finds it necessary to reduce deliveries, pursuant to this paragraph (c), such utility shall immediately notify the Power Division of the War Production Board, Ref.: L-174, of such curtailment by telegram. Following each such curtailment, the utility shall submit to the Power Division a detailed report of the duration of curtailment and the extent to which deliveries to such consumers were curtailed. Such report shall be filed on Form PD-628.

(d) *Restrictions upon deliveries to consumers other than domestic consumers.* No utility shall deliver manufactured gas to any consumer other than a domestic consumer, and no consumer other than a domestic consumer may accept such deliveries, for the operation of any gas-fired equipment (including space-heating equipment) which was not installed (or if converted from some other fuel, such conversion was not completed) at the same premises prior to September 1, 1942, unless:

(1) Such equipment is non-space heating equipment and has an aggregate input capacity of less than 150 cubic feet per hour.

(2) Such equipment replaces similar type gas-fired equipment of equal or greater capacity previously installed or operated by the same consumer at the same premises for the same purposes, or

(3) Such deliveries are specifically approved in advance by the War Production Board. Any consumer or utility which considers that such deliveries are necessary for war production or the operation of an essential civilian service may apply for such approval to the War Production Board.

No person shall install gas-fired equipment designed to receive deliveries of manufactured gas from any utility if such deliveries are prohibited by this paragraph.

(e) *Restrictions upon deliveries to domestic consumers for space heating.* Except where otherwise directed by the War Production Board, no utility shall deliver to any domestic consumer and no such consumer shall accept deliveries of manufactured gas for the operation of any space-heating equipment unless such equipment:

(1) Was installed (or if converted from some other fuel to manufactured gas, such conversion was completed) at the same premises prior to September 1, 1942, or

(2) Replaces similar type space-heating equipment of equal or greater capacity previously installed or operated at the same premises whether by the same or by another consumer, or

(3) Was installed prior to November 15, 1942, in a new building, and such equipment was specified in the construction contract, and the foundation under the main part of the structure in which the equipment is to be installed was completed prior to September 1, 1942.

No person shall install space-heating equipment designed to receive deliveries of manufactured gas from any utility if such deliveries are prohibited by this paragraph.

(e-1) *Restrictions upon deliveries when conversion to less critical fuels has been ordered.* If the War Production Board, after investigation, shall determine:

(1) That the gas-fired equipment owned or operated by any person can, without unreasonable expense or hardship to such person, be converted to the use of, or be replaced by equipment using, a less critical fuel of which a supply is available, and

(2) That such conversion or replacement will contribute to the alleviation of actual or prospective gas shortages, or to the maintenance of gas deliveries to war producers or essential civilian services,

the War Production Board may upon sufficient notice to permit such conversion or replacement, prohibit further deliveries or acceptances of manufactured gas for the operation of such gas-fired equipment.

(f) *Applications to War Production Board.* (1) Any person who considers that any reduction in or prohibition of deliveries of manufactured gas made or

proposed to be made pursuant to paragraphs (c) (1) or (e) or any direction issued thereunder interferes or will interfere materially with war production or the operation of an essential civilian service, may apply for relief to the War Production Board who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order. Such application shall state the nature of the war materials being manufactured or the nature of the service, the extent to which such production or service has been or may be curtailed because of reduced delivery of manufactured gas or inability to use gas for space heating, and the increase in deliveries of manufactured gas required for restoration of full protection or service.

(2) Any utility which considers that the capacity of its gas manufacturing equipment and the supply of fuel oil, coal, coke or other fuel available for gas manufacturing are sufficient to take care of all existing and estimated future requirements of war industry and unrestricted civilian use, may apply for exemption of the system or any portion thereof from the provisions of this order or any direction issued hereunder to the War Production Board who may grant such exemptions or take such other action as may be consistent with the purposes of this order.

(3) Applications by all consumers for exemption from the space-heating restrictions of this order shall be made on Form PD-673. Applications by non-residential consumers for exemption from the restrictions on deliveries for non-space heating purposes shall be made on Form PD-672.

(g) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him may appeal for relief to the War Production Board who may grant such specific exemptions or take such other action as may be consistent with the purposes of this order.

(h) *Violations.* Any person who willfully violates any provision of this order or any direction of the War Production Board issued hereunder, or who willfully furnishes false information to the War Production Board in connection with this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from obtaining deliveries of manufactured gas or from making or obtaining further deliveries of, or from processing or using, other material under priority control and may be deprived of priorities assistance by the War Production Board.

(i) *Reports and information.* (1) Each utility shall keep and preserve for not less than two years accurate and complete records concerning deliveries of manufactured gas to consumers.

(2) Such records shall be subject to inspection by duly authorized representatives of the War Production Board.

(3) All persons affected by this order shall execute, and file with the War Production Board such reports and questionnaires as said Board shall, from time to time, request.

(j) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to Power Division, War Production Board, Washington 25, D. C. Ref: L-174.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 22d day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

**EXHIBIT A—CONSUMERS WHOSE GAS DELIVERIES MAY BE REDUCED UNDER PARAGRAPH (c) (1) ONLY TO THE EXTENT THAT THE CONSUMERS' FUEL REQUIREMENTS CAN BE SUPPLIED FROM STANDBY FACILITIES, EXCEPT AS AUTHORIZED UNDER THE EMERGENCY CLAUSE OF SUCH PARAGRAPH**

NOTE: Exhibit A amended December 22, 1943.

(Gas for space heating purposes to any consumers listed below shall be supplied only to the minimum extent necessary to prevent impairment of health of persons or damage to facilities.)

1. *Public welfare and safety.*

(a) Fire and police stations, prisons, asylums, schools, court houses, offices of governmental agencies.

(b) Hospitals, dispensaries, research laboratories, medical and dental establishments, crematories, undertaking establishments.

(c) Water, sewage disposal and sanitation systems, to the extent that gas is required for the disposal of sewage and garbage, and for the operation of power equipment.

(d) Public utilities, to the extent that gas is required for the ignition of other fuels (not exceeding 1% of the total B. T. U. content of the fuel used for boiler operations) and for the operation of distribution and transmission equipment.

(e) Boarding, rooming, and residential institutions, dormitories, apartment houses, hotels, housing developments (to the minimum extent necessary to prevent injury to persons or facilities).

2. *Food.*

(a) Public eating establishments (whose principal business is the serving of food), including industrial plant and store cafeterias, but not including private dining rooms, night clubs, taverns, etc.

(b) Bakeries (to the extent necessary for manufacture of bread products only).

(c) Dairies (to minimum extent necessary to prevent loss of perishable products).

(d) Meat, poultry, fish and perishable food packing, raising, and warehousing establishments (to minimum extent necessary to prevent loss of perishable products or material in process).

3. *Transportation and communication services and facilities.*

(a) Repair yards, docks and shops, to the extent they are used for the maintenance or repair of public transportation equipment, and equipment used by the armed forces or in connection with police, fire-prevention and public health or safety activities.

(b) Postal, telephone, telegraph and radio.

(c) Newspapers (only to the extent required for dissemination of news to the general public).

4. *Industrial plants* (to the extent they are engaged in the production or processing of the following: munitions, equipment or materials):

(a) Airplanes, airplane engines and parts.

(b) Alcohol (industrial).

(c) Castings, extrusions and forgings of ferrous and non-ferrous alloys, including brass, bronze, malleable iron and steel, which

constitute parts for equipment or materials listed in this exhibit.

(d) Graphite electrodes.

(e) Liquid oxygen.

(f) Metals, as follows: Brass, nickel, cadmium, monel metal, pig iron, steel and ferro-alloys; provided processing shall be for the production or repair of equipment or materials listed in this exhibit only.

(g) Military radio, radar, and field communication equipment.

(h) Military and naval map-making and blueprinting.

(i) Naval and merchant ships and parts.

(j) Ordnance items, including guns, ammunition, explosives and combat and military vehicles.

(k) Rubber, provided processing shall be for the production or repair of equipment or materials listed in the exhibit only.

(l) Sulphuric acid.

(m) The following machinery and equipment:

Ball and roller bearings and parts.

Boilers (power).

Diesel engines.

Electrical measuring instruments.

Electrical motor control equipment.

Generators and electrical motors.

Heat exchangers.

High pressure blowers.

Industrial pumps (except irrigation and domestic).

Industrial trucks.

Locomotive and railroad cars.

Mechanical power transmission equipment (including gears of all types).

Mining machinery and equipment.

Navigation instruments.

Optical instruments and lenses.

Pressure vessels.

Searchlights (for mobile military equipment).

Steam engines (for marine use only).

Steam turbines.

Track-laying tractors.

Water purification equipment.

[F. R. Dec. 43-20303; Filed, December 22, 1943; 11:07 a. m.]

PART 4500—POWER, WATER, GAS AND CENTRAL STEAM HEAT<sup>1</sup>

[Limitation Order L-174, Revocation of General Directive 1]

MANUFACTURED GAS

Section 4500.53<sup>1</sup> *General Directive 1 issued under Limitation Order L-174*, under date of December 28, 1942, is hereby revoked. This revocation shall not affect in any way any liability or penalty accrued or incurred under said General Directive 1.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 22d day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Dec. 43-20303; Filed, December 22, 1943; 11:03 a. m.]

Subchapter D—Office of Rubber Director

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1 as Amended Dec. 4, 1943, Amdt. 2]

Rubber Order R-1 as amended is hereby amended in the following respects, effective January 1, 1944:

(1) By amending the regulations in Schedule A, Appendix I for the manufacture of the products listed below, to read as follows:

<sup>1</sup> Formerly Part 3039, § 3039.1.

Code No.	Product	Appendix II	Percent crude rubber	Percent latex	Special restrictions
9	(Belting):				
	Heg beater belts.....	No.....	5.25	0	
12	(Other mechanicals):				
	Under automotive parts:				
	Remote control gearshift bushings.....	No.....	0	0	Crude or latex permitted as required for Government only, subject to special authorization.
	Shock absorber bushings.....	No.....	0	0	
	Water pump seals.....	No.....	0	0	
	Lineman's protective devices including only:				
	Blankets.....	.....	42	0	
	Cable bandage.....	.....	63	0	
	Cable and test caps and separators.....	.....	63	0	
	Insulator heads.....	.....	42	0	
	Insulating stools.....	.....	0	0	
	Line hose.....	.....	42	0	
	Lineman's sleeves.....	.....	63	0	
	Loom pickers.....	No.....	0	0	Color: Optional.
	Molding bags.....	No.....	0	0	
	Under oil well specialties:				
	Slush pump pistons and liners for fluid packed pumps.....	No.....	X	0	
	Strippers.....	No.....	X	0	
	Valve cups.....	No.....	X	0	
	Valve discs.....	No.....	5.25	0	
	Press die pads (forming pads to shape metals):				
	Pads under 4" in thickness.....	No.....	0	0	Color: Optional. Stripes to identify hardness only.
	Pads 4" or more in thickness.....	No.....	23	0	
	Under 40 shore hardness.....	No.....	41	0	
	40 and over shore hardness.....	No.....			
	Rubber covered rolls and roll coverings (except Domestic washing machine wringer, fingerprint, business machine and printers):				
	Suction press.....	No.....	80	0	Color: Optional. 3/8" Max. thickness.
	All others.....	No.....	8	0	
	Rubber lining (hard or soft) for.....	No.....	10	10	Crude or latex but not both. Individual applications (such as repair of existing linings, etc.) may exceed the 10% maximum, provided that the total crude rubber or latex consumption for all applications for any given period, does not exceed the 10% maximum.
	Drums and tanks.....	No.....			
	Pipe and fittings.....	No.....			



(2) By adding the following item to Code 12 (Other mechanicals) of Schedule A, Appendix I together with the following entries in the columns of Schedule A:

Code No.	Product	Appendix II	Percent crude rubber	Percent natural latex	Special restrictions
12	Molded diaphragms	No.	5.25	0	

(3) By amending lists 1, 3, 4, 5, and 11 of Appendix II to read respectively as follows:

**LIST I—REGULATIONS FOR THE MANUFACTURE OF COMPOUNDS FOR MECHANICAL RUBBER GOODS**

(a) *Applicability.* This List 1 establishes certain general provisions and regulations governing the compounds to be used in the manufacture of mechanical rubber products. These regulations shall apply to all mechanical goods compounds, whether manufactured from crude rubber, reclaimed rubber, synthetic rubber, latex, scrap or any combination of these materials.

(b) *General provisions.* (1) Compounds containing less crude rubber or latex than that amount designated either in Schedule A, Appendix I, or in lists now or hereafter attached to this Appendix II may be used in manufacturing products governed by said schedule or lists, provided the physical or service requirements, where designated, are met.

(2) All compounds shall be black, except where otherwise designated in Schedule A or in other applicable lists.

(3) Where maximum percent by volume for crude rubber and latex is designated, it shall include crude rubber used in cements to aid processing.

**LIST 3—REGULATIONS FOR THE MANUFACTURE OF HOSE AND TUBING**

(a) *General provisions.* (1) The use of crude rubber in the manufacture of hose and tubing shall conform to the regulations set forth in sub-division (b) of this List 3.

(2) Physical dimensions of hose manufactured in accordance with these regulations shall be inspected in accordance with the methods of the latest revision of A. S. T. M. Standard D-380.

(3) Brands or labels shall be spaced at least twenty-five feet apart, except that each length of hose may have, at least one brand or label.

(4) The crude rubber content of any hose governed by this List 3 shall include crude rubber used in cements to aid processing.

(b) *Manufacturing regulations.* (1) Hose and tubing of any size and type not listed in sub-division (b) (2) of this List 3 may be manufactured; *Provided, That:*

(i) It is not specifically prohibited in Schedule B, Appendix I.

(ii) No crude rubber is used.

(iii) General purpose synthetic rubber, reclaimed rubber and Class 2 scrap rubber may be used in any amounts and in any proportion desired.

(2) The manufacture of hose consuming crude rubber shall be limited to the sizes and types listed in this sub-division (b) (2) and shall be subject to the regulations on crude rubber content and special restrictions designated.

**COMMERCIAL TYPES**

Type of product	Maximum percent crude rubber by volume in compound	Construction and/or service restrictions
Acid, conducting and suction	3.00	
Air and air tool, industrial Grade 2	1.50	
Alcohol, brewers and beverage hose, tubing and suction hose.	3.00	Tube color: Optional.
Arbor pipe forming:		Tube: 5/16" maximum.
Tube	60.00	
Friction	60.00	
Brake expander tubing		Government orders only. Crude rubber as needed.
Car heater hose	0.00	Class 3 reclaim only.
Cement handling, cement gun, incl. grouting	5.25	
Cement and material, dry and ice-slinger	5.25	
Concrete placing	5.25	
Chemical engine	0.00	Crude rubber permitted in cements only.
Coupling, flexible	1.50	
Creamery (sanitary)	1.50	
Divers:		
Floating:		
Tube	95.00	Wall: 5/16" maximum.
Friction	60.00	
Cover	60.00	
Sinking	3.00	
Dredging sleeves	5.25	
Expansion joints	30.00	
Fire, CRL		Tube: 3/8" max. on sizes 8" I. D. and under, 5/16" max. on sizes over 8" I. D. Cover: 5/16" max. on all sizes. Service: Normally used in rigid line to absorb thrust or excessive motion, or to isolate vibration and/or noise.
Fire extinguisher tubing	0.00	
Flanged flexible pipe	5.25	
Garden hose	0.00	
Grease hose, low-pressure, nonindustrial	0.00	
Hydraulic brake	0.00	
Hydraulic control and industrial grease, high pressure	5.25	
Jetting and hydraulic	3.00	
Milk conveying and food handling	5.25	
Oxygen hose (not welding)		
Phosphate flexible	5.25	
Pinch valve:		
Tube	75.00	
Friction	60.00	
Cover	60.00	
Radiator, Grade 1	0.00	
Rock wool insulation	0.00	
Rotary drilling:		
Tube	75.00	
Friction	60.00	
Layer or filler	40.00	
Cover	40.00	
Sand blast	9.00	
Shaft covering, flexible	0.00	
Spray, agricultural:		
High pressure	1.50	
Low pressure	0.00	
Spray, paint (air line)	1.50	
Steam:		
Grade 1	5.25	
Grade 2	5.25	
Grade 3	3.00	
Suction:		
Fire engine, hard	3.00	
Fire engine, soft		
Hard rubber	0.00	
Rotary slush pump	3.00	
Sand	9.00	
Water	3.00	
Tapered rubber nozzle (when built on end of hose)	5.25	
Tender tank	3.00	
Vacuum:		
Industrial	3.00	
Dust collector	5.25	
Blower or exhaust	9.00	
Water, all sizes	0.00	
Welding	1.50	

**RAILROAD HOSE**

Air brake and train air signal	1.50	
Air, gas and oxygen	1.50	Cover: Black or red on welding hose only.
Steam and hot water	5.25	
Tender tank	3.00	
Water, all sizes	0.00	Crude rubber permitted in cements only.

## LIST 4—REGULATIONS FOR THE MANUFACTURE OF PACKING

- (a) *Manufacturing regulations.* (1) Packing of any type not listed in subdivision (a) (2) of this List 4 may be manufactured, *Provided*, That:
- (1) No crude rubber is used.
- (11) General purpose synthetic rubber, reclaimed rubber and Class 2 scrap rubber may be used in any amounts and in any proportion desired.
- (2) The manufacture of packing consuming crude rubber shall be limited to the types listed in this subdivision (a) (2) and shall be subject to the regulations on crude rubber content and special restrictions designated.

PACKING

Type of product	Maximum crude rubber by volume in compound (%)	Construction and/or service restrictions
Sheet packing, including cut, extruded or molded strips, gaskets, or packing rings of simple, round, square or rectangular cross-section: Standard (known heretofore as red or black sheet packing) or soft.	0.00	Color on Standard may be red or black. 52.5% crude by vol. may be used with Thibokol A for all resistant type.
Piston packing hydraulic (known heretofore as white hydraulic).	00.00	
Rod packing, duck rubber slap construction (known heretofore as low-pressure ring, low-pressure spiral or cross expansion packing).	5.25	
Rod packing duck rubber rolled construction: Friction process.....	5.25	15% crude, based on weight of fabric.
Spreading process.....		
Rod packing, moulded channel with metal core, known as semi-metallic: Rubber (spreading process).....	5.25 5.25	15% crude, based on weight of fabric.
Rod packing, moulded V-shape or lip.....	5.25	
Rod packing, moulded channel with cores other than metal.....	5.25	
Bonded compressed asbestos sheet.....		55% crude, based on weight of sheet. Color: Optional.
Rubberized woven asbestos cloth or braid including unmolded gaskets or rod packings prepared from same: Metallic.....	3.00	Color: Optional.
Non-metallic.....	3.00	

## LIST 5—REGULATIONS FOR THE MANUFACTURE OF DAM AND LOCK GATE SEALS

- (a) The manufacturer of dam and lock gate seals shall be limited to the construction shown in this List 5.
- (b) Caisson gaskets manufactured to Navy Specification 33-G-9 shall be limited to the construction shown in this List 5.
- (c) The tread, cushion, friction and coat for dam and lock gate seals and caisson gaskets shall be made from compounds which conform to the crude rubber physical property regulations set forth in Table A.

TABLE A

Construction element	Maximum % crude rubber by volume in compound	Minimum tensile strength in lbs. per sq. inch	Minimum elongation in percent	Shore hardness	Minimum ply adhesion in lbs.
Tread.....	35.00	1,500	250	60-70	12
Cushion.....	50.00	2,000	700	35-47	12
Friction and coat.....	00.00				16

## LIST 11—REGULATIONS FOR THE MANUFACTURE OF PRINTING RUBBER PRODUCTS

- (a) The use of crude rubber and latex in the manufacture of printing rubber products shall conform to the regulations shown in Table A.

TABLE A—PRINTING RUBBER PRODUCTS

Type of product	Maximum % crude rubber by volume in compound	Construction and/or service restrictions
Printing plate gums.....	0.00	
Printing plate insert and backing fabrics.....	0.00	
Adhesive fabric: Friction.....	75.00	
Offset blankets.....	55.00	No crude may be used after Feb. 1, 1944.
Newspaper blankets.....	45.00	Do.
Cutting rubber.....	0.00	
Printing rolls: Gravure and impression rolls.....	55.00	Do.
Rolls to be coated with a composition having a shore hardness of less than 20.	50.00	
All others.....	0.00	
Engraving, rubber face and filler stocks.....	0.00	
Engraving rubber friction.....	15.00	
Box die gum.....	0.00	
Stamp gums.....	0.00	

(b) The color of the printing rubber products listed in Table A is optional.

(c) The use of crude rubber and latex as an adhesive for mounting purposes and/or adhesion to metal will be permitted, but such adhesive shall not exceed 5% of the total volume of compound used.

(4) By adding the following sentence to paragraph (c) (Flat transmission belt- ing) of List 2, Appendix II:

Color of seaming strip is optional.

(P.D. Reg. 1 as amended, 6 F.R. 6680; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of December 1943.

RUBBER DIRECTOR,  
WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-20310; Filed, December 22, 1943;  
11:07 a. m.]

## Chapter XI—Office of Price Administration

## PART 1305—ADMINISTRATION

[Supp. Order 79, Amdt. 1]

## FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION ON NEW YEAR'S EVE, 1943

Food and drink sold for immediate consumption on New Year's Eve, 1943, by eating and drinking establishments in areas now governed by regional and district restaurant maximum price regulations.

A statement of the considerations for this amendment to Supplementary Order No. 79 has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, it is hereby ordered, that § 1305.214 (d) is amended to read as follows:

(d) *Relation to restaurant maximum price regulations issued by regional or district offices.* With the exception of restaurant maximum price regulations which have been issued for areas in the State of Massachusetts, this supplementary order shall supersede any provisions or special provision in regional or district restaurant maximum price regulations for food items or meals sold on New Year's Eve, 1943.

This supplementary order shall become effective December 16, 1943.

Issued this 16th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-20041; Filed, December 16, 1943;  
4:50 p. m.]

\*Copies may be obtained from the Office of Price Administration.

**PART 1340—FUEL**  
[RPS 88, Amdt. 151]

**PETROLEUM AND PETROLEUM PRODUCTS**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1340.159 (c) (3) (ix) is amended to read as follows:

(ix) (a) *Lower Peninsula of Michigan.* The maximum tank wagon prices for prime white distillate, range oil; also known as stove oil or heater oil, and Nos. 1, 2 and 3 fuel oil at all points in the lower peninsula of Michigan, except in the Counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne, shall be 0.4 of a cent per gallon above the maximum prices thereof determined under the provisions of this price schedule which would otherwise be applicable.

(b) In the Counties of Genesee, and Monroe in the State of Michigan, the maximum tank wagon prices for the petroleum products mentioned below shall be as follows:

Products:	Cents per gallon
Kerosene	10
Range oil, also known as stove oil or heater oil:	
In quantities of 25 gallons or over	8.2
In quantities of less than 25 gallons	9.2
Prime white distillate and Nos. 1 and 2 fuel oil:	
In quantities of 100 gallons or over	7.7
In quantities of less than 100 gallons	8.7
No. 3 fuel oil:	
In quantities of 100 gallons or over	7.2
In quantities of less than 100 gallons	8.2

NOTE: Section 1340.159 (b) (9), providing for an increase of 0.3 of a cent per gallon on tank wagon and certain container deliveries does not apply to the maximum prices established herein; there are no additions to be made to such prices.

(c) In the Counties of Macomb, Washtenaw, Oakland, and Wayne in the State of Michigan, maximum prices shall be as follows:

[All prices in cents per gallon]

	Loaded into peddler's tank wagon in any quantity	For tank wagon deliveries to consumers—		
		In any quantity	In quantities of 100 gallons or over	In quantities of less than 100 gallons
Kerosene		10		
Range oil, stove oil, heater oil, prime white distillate and No. 1 fuel oil	6.8		8.2	9.2
No. 2 fuel oil	6.4		7.7	8.7
No. 3 fuel oil	5.9		7.2	8.2

NOTE: Section 1340.159 (b) (9), providing for an increase of .3 of a cent per gallon on tank wagon and certain container deliveries does not apply to the maximum prices established herein; there are no additions to be made to such prices.

\*Copies may be obtained from the Office of Price Administration.

18 F.R. 3718.

This amendment shall become effective December 21, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-20290; Filed, December 21, 1943;  
3:34 p. m.]

**PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS**

[RO 16, Amdt. 4 to Rev. Supp. 1]

**MEAT, FATS, FISH, AND CHEESES**

The factors in § 1407.3027 (d) (1) (i), (ii) and (iii) are amended by substituting the figures "0.01" for the figures "1.0".

This amendment shall become effective December 21, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 21st day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-20291; Filed, December 21, 1943;  
3:34 p. m.]

**TITLE 41—PUBLIC CONTRACTS**

**Chapter I—Procurement Division, Department of the Treasury**

**PART 33—SURPLUS AND SEIZED PERSONAL PROPERTY**

**SCRAP MATERIAL AND CONDEMNED MATERIAL**

Section 33.5 *Condemned and salvage material; transfers* is hereby amended in the following respects:

1. The last sentence of paragraph (a) is revised as follows:

Scrap material and condemned material or articles no longer required for their original purpose and having no value as such, need not be reported to the Procurement Division.

2. Paragraph (c) is deleted.

(Sec. 1, E.O. 6166, June 10, 1933 (41 CFR 1.1, 1.2, 1.4) [Proc. Div. Circ. Letter No. 659, Sup. No. 1, Dec. 14, 1943])

[SEAL] CLIFTON E. MACK,  
Director of Procurement.

DECEMBER 20, 1943.

[F. R. Doc. 43-20292; Filed, December 22, 1943;  
10:09 a. m.]

18 F.R. 16834, 16839, 16893.

**TITLE 47—TELECOMMUNICATIONS**

**Chapter I—Federal Communications Commission**

**PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS**

**NORMAL LICENSE PERIOD**

Attention is directed to the following error which appeared in the Tuesday, December 21, 1943 issue of the FEDERAL REGISTER on page 17000:

Paragraph (e) of § 3.34 should read as follows:

(e) For stations operating on the frequencies 1260, 1270, 1280, 1290, 1300, 1310, 1320, 1330, 1350, 1360 kilocycles, November 1, 1945.

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-20312; Filed, December 22, 1943;  
11:21 a. m.]

**TITLE 49—TRANSPORTATION AND RAILROADS**

**Chapter II—Office of Defense Transportation**

[Administrative Order ODT 1, Amdt. 9]

**PART 503—ADMINISTRATION**

**DELEGATION OF AUTHORITY; DIVISION OF RAILWAY TRANSPORT**

Pursuant to Executive Order 8989, as amended, paragraphs (b), (c) and (d) of § 503.4 of Administrative Order ODT 1 (8 F.R. 6001), are hereby amended in the following particulars:

The words "Associate Director" where they appear in said paragraphs (b), (c), and (d) shall be changed to read "Regional Director".

There shall be added to paragraph (b) of said § 503.4, a subparagraph numbered (3) to read as follows:

(3) *Coordination of rail traffic.* To coordinate and direct domestic rail traffic movements over the lines of common carriers by railroad operating east of the Indiana-Illinois State line and north of the Ohio and Potomac rivers, but not including operations in the States of West Virginia and Virginia, or in the District of Columbia, with the objective of preventing or removing traffic congestion, and assuring the orderly and expeditious movement of men, materials and supplies to points of need.

There shall be added to paragraph (c) of said § 503.4, a subparagraph numbered (3) to read as follows:

(3) *Coordination of rail traffic.* To coordinate and direct domestic rail traffic movements over the lines of common carriers by railroad operating east of the Mississippi River and south of the Ohio and Potomac rivers, including operations in the States of West Virginia and Virginia and in the District of Columbia, with the objective of preventing or removing traffic congestion, and assuring the orderly and expeditious movement of men, materials and supplies to points of need.

This Amendment 9 to Administrative Order ODT 1 shall become effective December 18, 1943.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 18th day of December 1943.

JOSEPH B. EASTMAN,

Director,

Office of Defense Transportation.

[F. R. Doc. 43-20318; Filed, December 22, 1943; 11:39 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Coal Mines Administration.

[Order CMA-10]

A. AND A. COAL CO., ET AL.

#### ORDER TERMINATING APPOINTMENT OF OPERATING MANAGERS

DECEMBER 21, 1943.

Orders have been issued terminating Government possession of the mines of the mining companies listed in Appendix A, and said mining companies have duly executed and delivered to the Coal Mines Administrator appropriate Instruments, as provided in the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712, 11344).

Accordingly, I hereby order and direct that the appointments of the Operating Managers for the United States for the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, be, and they hereby are, terminated.

HAROLD L. ICKES,  
Secretary of the Interior.

#### APPENDIX A

##### Name of Mining Company and Address

1. A. & A. Coal Company, East Palestine, Ohio.
2. Abram Creek Coal Company, Thomas, W. Va.
3. Alabama Fuel & Iron Co., First National Building, Birmingham, Ala.
4. Allen Coal Company, Inc., P. O. Box 84, Newburgh, Ind.
5. Albuquerque-Cerrillos Coal Company, Madrid, N. Mex.
6. American Fuel Company, 1220 South Main St., Salt Lake City, Utah.
7. Angus Coal Mining Company, Oskaloosa, Iowa.
8. Athens Coal Company, Cheshire, Ohio.
9. Benedict & Sherman, McArthur, Ohio.
10. Bennett, Andrew, Bryant, Ill.
11. Bicknell Coal Company, Bicknell, Ind.
12. H. F. Bigler, Jr., Clearfield, Pa.
13. Blacksmith Coal Company, Novinger, Mo.
14. M. P. Blake Coal Company, P. O. Box 117, Tunnelton, W. Va.
15. Blakesburg Deep Vein Coal Company, Blakesburg, Iowa.
16. Big Hollow Coal Company, R. F. D. #2, Peoria, Ill.
17. Blount & Vessels Coal Company, 330 Hay Pl., Coshocton, Ohio.
18. Blue Diamond Coal Company, Wellston, Ohio.

19. Blue Crystal Mines, Inc., Millersburg, Ohio.
20. Bugos-White Coal Company, Alpha, Ill.
21. Callahan Mining Company, Salem, Ohio.
22. Carbon Hill Coal Company, 400 South St., Pella, Iowa.
23. Castle Coal Company, Box 197, Durango, Colo.
24. Charlton River Coal Company, Novinger, Mo.
25. Clarinda Coal Company, New Market, Iowa.
26. Clarion Coal Mining Company, 512 Main St., Clarion, Pa.
27. Colorado Springs Company, Colorado Springs, Colo.
28. Congress Coal Company, Zanesville, Ohio.
29. Copenhaver, S. A., R. D. #1, Summer-ville, Pa.
30. Copperhead Coal Company, 3225 W. Tuscarawas St., Canton, Ohio.
31. Cornell Coal Company, Bronaugh, Mo.
32. Corrigan Coal Company, Novinger, Mo.
33. Crain Coal Company, Percy, Ill.
34. Crowe Coal Company, 210 South Main St., Clinton, Mo.
35. D & D Coal Company, 142 W. Hickory St., Canton, Ill.
36. Day and Night Coal Company, Clarks-ville, Ark.
37. Diamond Coal Company, The, Arcadia, Kans.
38. Dittman-Wachter Coal Company, Fron-tenac, Kans.
39. Dry Run Coal Company, Kingston Mines, Ill.
40. Dunreath Coal Company, Knoxville, Iowa.
41. East Fairfield Coal Co., Columblana, Ohio.
42. Elba Coal Company, Corsica, Pa.
43. Ellis Coal Company, Bronaugh, Mo.
44. Elm Grove Coal Company, R. F. D. #1, Cutler, Ill.
45. Farmers Coal Mining Company, 2112 Main St., Higginsville, Mo.
46. Farmington Coal Company, Elmwood Rd., Farmington, Ill.
47. The Finzer Brothers Clay Company, Sugarcreek, Ohio.
48. Fisher's Coal Mines, 1318 Market St., Williamsport, Pa.
49. Garland Coal & Mining Company, Stig-ler, Okla.
50. Gaskell Coal Company, Frontenac, Kans.
51. Gem City Coal Company, Inc., Pine-ville, Ky.
52. Gibb Coal Company, 310 So. Main St., Albion, Iowa.
53. Gobbler Knob Coal Company, R. F. D. #1, Norton, Va.
54. Grasso Coal Mining Company, 511 Main St., Brockway, Pa.
55. Green Coal Company, 1124 Walnut St., Coshocton, Ohio.
56. Green Valley Coal Company, R. F. D. #2, Marion, Ill.
57. Greenview Mining Company, Green-view, Ill.
58. Hackathorn & Myers Coal Company, Bergholz, Ohio.
59. Hallidayboro Coal Company, Elkhville, Ill.
60. Hardecrabble Coal Company, P. O. Box 506, Helper, Utah.
61. Hart Coal Company, 181 E. Main St., Salinesville, Ohio.
62. Hawkeye Coal Company, 1219 Southern Surety Bldg., Des Moines, Iowa.
63. The Herd Branch Coal Company, Sibert, Ky.
64. Hill Coal Company, Newburgh, Ind.
65. M. C. Hobart Coal Company, Middle-port, Ohio.
66. Hook Coal Company, 308 S. 9th St., Coshocton, Ohio.
67. Illinois Colliery Company, Farmington, Ill.
68. Iremam Bros., R. F. D. #1, Ford City, Pa.
69. J. & W. Coal Company, Appleton City, Mo.
70. Jennings Coal Company, H. R., 819 Den-man Ave., Coshocton, Ohio.
71. Karthouse Coal Company, Snow Shoe, Pa.
72. Kniseley Coal Company, R. D. #2, Brockville, Pa.
73. Kray Coal Company, Crellin, Md.
74. L. & S. Coal Company, London Mills, Ill.
75. Lansberry & Son, Abbie E., Woodland, Pa.
76. Leavell Coal Company, 303 Beacon Bldg., Tulsa, Okla.
77. Leeper Coal Company, 506 Plaza Bldg., Pittsburgh, Pa.
78. Lighthody Coal Company, Glasford, Ill.
79. Little Coal Company, 313 N. Main St., Farmington, Ill.
80. Long View Coal Company, Coal Valley, Ill.
81. Lost Hill Coal Company, Dora, Pa.
82. McNew Coal Company, Carriers Mills, Ill.
83. Magnolia Mining Company, Cleveland Ave., R. W., Canton, Ohio.
84. Frank Marcum, Manchester, Ky.
85. Marriott Reed Coal Company, Columbia, Mo.
86. Marshall Mining Company, The, 1263 Poland Ave., Youngstown, Ohio.
87. Mike Simone Coal Company, Weir, Kans.
88. Monroe Black Coal Company, 400 South St., Pella, Iowa.
89. Moore & Son Coal Company, R. F. D. #3, Marion, Ill.
90. Mt. Nebo Coal Company, Booneville, Ind.
91. Mt. Perry Coal Company, Zanesville, Ohio.
92. Mt. Storm Coal Corporation, Mount Storm, W. Va.
93. National Coal Company, Inc., Oska-loosa, Iowa.
94. New Market Coal Co., The, New Market, Iowa.
95. New Superior Coal Company, 211 W. O'Gara St., Harrisburg, Ill.
96. Newton Coal Company, 400 South St., Pella, Iowa.
97. Northside Mining Company, Bicknell, Ind.
98. Nugget Coal Company, P. O. Box 967, Laramie, Wyo.
99. The Nugent Mining Company, Du Bois, Pa.
100. Ohio Edison Company, 47 N. Main St., Akron, Ohio.
101. J. R. Orell Coal Company, Lafferty, Ohio.
102. P. & G. Coal Company, 511 Main St., Brockway, Pa.
103. Patik Coal Company, 511 1st Ave. East, Oskaloosa, Iowa.
104. Peterson Coal Company, Deerfield, Ohio.
105. Pine Hollow Coal Company, Colum-blana, Ohio.
106. Producers Coal Company, Knoxville, Iowa.
107. Quality Mining Co., Inc., 216 Con-tennial Ave., Booneville, Ind.
108. Red Diamond Mining Company, 903 Frank Nelson Building, Birmingham, Ala.
109. Reither Coal Company, New Concord, Ohio.
110. Rice Coal Company, Mosby, Mo.
111. Rogers County Coal Company, Tulsa, Okla.
112. Rose, G. W., Virginia City, Va.
113. Rose Hill Company, Novinger, Mo.
114. Ruddell Coal Company, Inc., 403 S. Third, Clinton, Mo.
115. Rush Run Coal Company, Box 187, Bridgeport, Ohio.
116. Salisbury Construction Company, Meyerdale, Pa.
117. Sangamon Valley Coal Company, 1155 N. Rutledge St., Springfield, Ill.

118. Seymour Coal Company, New Galilee, Pa.  
 119. Sherrick Bros. Coal Company, Zanesville, Ohio.  
 120. Simonas Brothers, 604 South Meridian St., Washington, Ind.  
 121. Smith & Stokes, 565 Wells Ave., Madisonville, Ky.  
 122. Spangler and Parks Coal Company, Inc., Windsor, Mo.  
 123. Squires & Ebler Coal Company, Boonville, Ind.  
 124. Standard Coal Company, Vincennes, Ind.  
 125. Stanley Coal Company, Crellin, Md.  
 126. Stevenson Bros., R. F. D. #1, Ellisville, Ill.  
 127. Stony River Coal Company, Thomas, W. Va.  
 128. Sturgill & Cravens, Sandgap, Ky.  
 129. Sun Coal Company, Coshocton, Ohio.  
 130. Sunray Coal Company, 522 S. 2nd St., Albia, Iowa.  
 131. Taylor Bros., Hawthorn, Pa.  
 132. Tennessee Valley Coal Company, (R. D. Campbell) Stevenson, Ala.  
 133. Thomas Fork Coal Company, Pomeroy, Ohio.  
 134. Transue & Williams Steel Forging Corporation, Alliance, Ohio.  
 135. Vancuenebrock Coal Company, 402 Kent St., Knoxville, Iowa.  
 136. The Victor Fuel Coal Company, Pittsburg, Kans.  
 137. Victory Coal Company, 213 National Bank Bldg., Pittsburg, Kans.  
 138. Victory Coal Company, 1011 Porter Bldg., Kansas City, Mo.  
 139. Waco Collieries, Inc., Hopedale, Ohio.  
 140. Wagoner County Coal Company, The, Porter, Okla.  
 141. V. Waroquier & Son, 131 W. 5th Ave., Clearfield, Pa.  
 142. Weaver & Schettler, Shippenville, Pa.  
 143. Welkart Coal Company, Washingtonville, Ohio.  
 144. West Kentucky Coal Company, Earlinton, Ky.  
 145. Wolf-O-Lack Coal Company, Clarion, Pa.  
 146. Woodall, John, Summerville, Pa.  
 147. Woolridge Coal Company, Clearfield, Pa.  
 148. Zacherl Coal Company, 327 S. Main St., Titusville, Pa.

[F. R. Doc. 43-20311; Filed, December 22, 1943; 11:17 a. m.]

## DEPARTMENT OF AGRICULTURE.

### Farm Security Administration.

#### DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

(a) In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of said rules and regulations. A description of the localities and the determination of value for each follow:

## REGION V—ALABAMA.

### LAWRENCE COUNTY

Locality I: Consisting of the precinct of Shiloh, \$1,380.

Locality II: Consisting of the precinct of Kitchens, \$1,580.

Locality III: Consisting of the precinct of Mount Moriah, \$1,882.

Locality IV: Consisting of the precincts of Chalybeate Springs, Courtland, Fairfield, Hatton, Hillsboro, Morris Chapel, Moulton, Mountain Home, Mount Hope, Oakville, Pinhook, Red Bank, Town Creek, and Wolf Spring, \$3,063.

### MARION COUNTY

Locality I: Consisting of the precincts of Bear Creek, Hackleburg, Hamilton, Pearces Mills, Pikeville, Reids, and Wiginton, \$1,482.

Locality II: Consisting of the precincts of Barnesville, Bexar, Camp, Rye, and Shotts-ville, \$1,130.

Locality III: Consisting of the precincts of Guin and Winfield, \$1,662.

Locality IV: Consisting of the precincts of Baccus, Brilliant, Clarks, Howells, and Kimbrough, \$1,131.

### MORGAN COUNTY

Locality I: Consisting of the precincts of Center Grove, Danville, Decatur, Eva, Flor-ette (Nunns Mill), Gum Pond, Hartselle, Lacey Spring, Lacon, Massey (Gibson), Priceville, Ryans Crossroads, Somerville, Trinity, and Valhermosa Springs, \$3,014.

Locality II: Consisting of the precincts of Flint, Lanes, Neel (Shady Grove), and Oak Ridge, \$2,103.

Locality III: Consisting of the precinct of Falkville, \$2,080.

Locality IV: Consisting of the precinct of Lawrence Cove, \$1,548.

Locality V: Consisting of the precinct of Wolff, \$1,245.

### TUSCALOOSA COUNTY

Locality I: Consisting of the precincts of Crossland, Hughes, Moores Bridge, and Reese, \$1,298.

Locality II: Consisting of the precincts of Blockers, Buhl, Coker, Cottondale, Courthouse, Cowden (Dodsons), Dunns, Elrods, Fosters, Friersons, Hassell, Hickmans, Marcumville, McDuff (Dobbs), New Lexington, Northport, Romulus, Taylorville, and Whitsons, \$2,295.

Locality III: Consisting of the precincts of Ackers, Brookwood, Carroll, Coaling and Jones (Smith), Mitchells, Parsons, and Vance, \$1,081.

## REGION VI—ARKANSAS

### BENTON COUNTY

Locality I: Consisting of the townships of Anderson, Ball, Brightwater, Colville, Esculapla, Garland, Hico, Hoover, Logan, Mason Valley, Mount Vernon, Osage, Wager, Wallace, Washington, and Yell, \$3,186.

Locality II: Consisting of the townships of Apple Glenn, Batié, Cherokee, Decatur, Dickson, Eldorado, Felker, Flint, Gentry, Round Prairie, and Sulphur Springs, \$2,089.

Locality III: Consisting of the townships of Big Spring, Garfield, Pine Log, Roller Ridge, Sugar Creek, Walnut, and War Eagle, \$1,936.

(b) The purchase price limits previously established for the counties above-mentioned are hereby cancelled.

Approved: December 20, 1943.

R. W. HUDGENS,  
Acting Administrator.

[F. R. Doc. 43-20289; Filed, December 21, 1943; 3:33 p. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2628]

### I. G. FARBENINDUSTRIE AKTIENGESellschaft

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement with Synthetic Nitrogen Products Company relating, among others, to Patent Number 1,934,836.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement herein-after described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement evidenced by cables dated March 28, 1941, April 18, 1941 and April 21, 1941 (including all modifications thereof or supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Synthetic Nitrogen Products Corporation, relating, among others, to patent number 1,934,836, issued November 14, 1933, inventors G. Wietzel, W. Haller and W. Hennicke, for Process for the Catalytic Conversion of Hydrocarbons.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an



admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 19, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-20293; Filed, December 22, 1943;  
10:20 a. m.]

[Vesting Order 2629]

SOCIETA ANONIMA LUCCHESI OLII & VINI

In re: Trade-marks and interest of Societa Anonima Lucchese Olli & Vini in an agreement with Berolio Import Co., Inc.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societa Anonima Lucchese Olli & Vini is a corporation organized under the laws of and having its principal place of business in Italy and is a national of a foreign country (Italy);

2. That the property identified in subparagraph 3 hereof is property of Societa Anonima Lucchese Olli & Vini;

3. That the property described as follows:  
(a) The trade-marks registered in the United States Patent Office under the numbers and on the dates set out in Exhibit A attached hereto and made a part hereof and the registrations thereof, together with

(i) The respective good-will of the business in the United States and all its possessions to which the trade-marks are appurtenant,

(ii) Any and all indicia of such good-will (including but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machinery and other equipment),

(iii) Any interest of any nature whatsoever in, and any rights and claims of every character and description to, said business, good-will and trade-marks and registrations thereof, and

(iv) All accrued royalties payable or held with respect to said trade-marks and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societa Anonima Lucchese Olli & Vini by virtue of an agreement dated June 20, 1938 (including all modifications thereof and supplements thereto, including, but not by way of limitation, an agreement entered into on or about October 25, 1939 and constituting a supplement to said agreement of June 20, 1938) by and between said Societa Anonima Lucchese Olli & Vini and Berolio Import Co., Inc., relating, among other things, to the "Filippo Berio & C. Brand also known as Eee Brand" and the name "Berolio" used as a part of the corporate title "Berolio Import Co., Inc.",

is property of, or is property payable or held with respect to trade-marks or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 19, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

#### EXHIBIT A

Trade-marks which are identified as follows and the titles to which stand of record in the United States Patent Office in the name of Societa Anonima Lucchese Olli & Vini.

#### Registration Number, Date and Character of Goods

29,145; 11-10-36; olive oil.  
55,446; 9-25-36; olive oil.  
87,063; 6-25-12; olive oil.  
176,690; 11-27-23; olive oil.  
297,151; 9-6-32; olive oil.  
293,718; 12-20-32; olive oil.  
313,385; 5-29-34; olive oil.

[F. R. Doc. 43-20294; Filed, December 22, 1943;  
10:20 a. m.]

[Vesting Order 2630]

HANS VOGT

In re: Interest of Hans Vogt in the agreement with Harry A. Ford.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hans Vogt is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Hans Vogt;

3. That the property described as follows:  
All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hans Vogt by virtue of the agreement dated February 1, 1937 (including all modifications thereof and supplements thereto, if any) by and between Hans Vogt and Harry A. Ford, relating, among other things, to certain United States Letters Patent, including Patent No. 2,185,659,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 19, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-20235; Filed, December 22, 1943;  
10:20 a. m.]

[Vesting Order 2631]

HANS VOGT

In re: Interest of Hans Vogt in the agreement with Ferrocarril Corporation of America.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hans Vogt is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Hans Vogt;

## 3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Hans Vogt by virtue of an agreement dated January 13, 1936 (including all modifications of and supplements to such agreement, including, but without limitation, a contract dated February 1, 1937 executed by Hans Vogt and Ferrocarril Corporation of America) by and between Hans Vogt and Ferrocarril Corporation of America, which agreement, as modified and supplemented, relates, among other things, to certain United States Letters Patent and Applications, including United States Patent No. 2,143,298,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 19, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-20296; Filed, December 22, 1943;  
10:20 a. m.]

[Vesting Order 2632]

I. G. FARBENINDUSTRIE  
AKTIENGESellschaft

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement with Rohm & Haas Company relating, among other things, to Patent No. 2,178,475.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated January 1, 1935 (including all modifications thereof and supplements thereto, including, but not by way of limitation, the supplemental agreement dated January 3, 1941) by and between I. G. Farbenindustrie Aktiengesellschaft and Rohm & Haas Company, which agreement relates, among other things, to Patent No. 2,178,475,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 19, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-20297; Filed, December 22, 1943;  
10:20 a. m.]

[Vesting Order 2633]

SOCIETE D'ELECTRO-CHIMIE D'ELECTRO-METALLURGIE ET DES ACIERIES ELECTRIQUES D'UGINE

In re: Patents and interests of Societe d'Electro-Chimie d'Electro-Metallurgie et des Acieries Electriques d'Ugine in contracts with United States Steel Corporation and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That Societe d'Electro-Chimie d'Electro-Metallurgie et des Acieries Electriques d'Ugine is a corporation organized under the laws of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Societe d'Electro-Chimie d'Electro-Metallurgie et des Acieries Electriques d'Ugine;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 19, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

## EXHIBIT A

(1) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

*Patent Number, Date, Inventor and Title*

2,015,690, 10-1-35, Rene Perrin, Manufacture of iron alloys.  
 2,015,691, 10-1-35, Rene Perrin, Treatment of metals with slags.  
 2,015,692, 10-1-35, Rene Perrin, Process of dephosphorizing steel.  
 2,015,693, 10-1-35, Rene Perrin, Purifying copper.  
 2,049,721, 8-4-36, Rene Perrin, Process for purifying nickel.  
 2,050,460, 8-11-36, Rene Perrin, Process for enriching steels in silicon.  
 2,050,803, 8-11-36, Rene Perrin, Dephosphorizing treatment of metal in a conveyor.  
 2,087,580, 7-20-37, Rene Perrin, Process for the regular obtaining of metals and more particularly of steel with determined characteristics.  
 2,098,063, 11-2-37, Rene Perrin, Process of deoxidation of copper.  
 2,100,264, 11-23-37, Rene Perrin, Treatment of metals and slags.  
 2,100,265, 11-23-37, Rene Perrin, Process for the manufacture of metal alloys.  
 2,123,658, 7-12-38, Rene Perrin, Process for dephosphorizing metals.  
 2,169,741, 8-15-39, Rene Perrin, Process for the manufacture of alloys and in particular of ferro alloys or of inoxidizable steels.  
 2,188,416, 1-30-40, Rene Perrin, Process for rapidly obtaining steels of high purity.  
 2,203,179, 6-4-40, Rene Perrin, Process for the manufacture of hermatite cast iron.  
 2,207,109, 7-9-40, Rene Perrin, Manufacture of steel.  
 2,232,403, 2-18-41, Rene Perrin, Process for obtaining steels having high micrographic purity.  
 2,246,144, 6-17-41, Rene Perrin, Tapping of metals.  
 2,268,615, 1-6-42, Rene Perrin, Process for obtaining deoxidized copper.  
 2,269,601, 1-13-42, Rene Perrin, Manufacture of articles resistant to gaseous corrosion.  
 2,288,836, 7-7-42, Rene Perrin, Process for economically and rapidly obtaining high quality steels.

(2) All interests and rights (including all royalties and other monies payable or held with respect to such interests and right and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe d'Electro-Chimie d'Electro-Metallurgie et des Acleries Electriques d'Ugine by virtue of an agreement dated May 15, 1936 (including all modifications thereof and supplements thereto, if any) by and between Societe d'Electro-Chimie d'Electro-Metallurgie et des Acleries Electriques d'Ugine and United States Steel Corporation, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,015,691,

(3) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe d'Electro-Chimie d'Electro-Metallurgie et des Acleries Electriques d'Ugine by virtue of an agreement dated June 15, 1936 (including all modifications thereof and supplements thereto, if any) by and between Societe d'Electro-Chimie d'Electro-Metallurgie et des Acleries Electriques d'Ugine and Bethlehem Steel Company, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,015,691,

(4) All interests and rights (including all royalties and other monies payable or held with respect to such interests and right and all damages for breach of the agreement hereinafter described, together with the right to sue therefor, created in Societe d'Electro-Chimie d'Electro-Metallurgie et des Acleries Electriques d'Ugine by virtue of an agreement dated November 18, 1936 (including all modifications thereof and supplements thereto, if any) by and between Societe d'Electro-Chimie d'Electro-Metallurgie et des Acleries Electriques d'Ugine and Republic Steel Corporation, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,015,691,

(5) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe d'Electro-Chimie d'Electro-Metallurgie et des Acleries Electriques d'Ugine by virtue of an agreement dated November 21, 1936 (including all modifications thereof and supplements thereto, if any) by and between Societe d'Electro-Chimie d'Electro-Metallurgie et des Acleries Electriques d'Ugine and The Youngstown Sheet and Tube Company, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,015,691,

(6) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe d'Electro-Chimie d'Electro-Metallurgie et des Acleries Electriques d'Ugine by virtue of an agreement dated January 7, 1937 (including all modifications thereof and supplements thereto, if any) by and between Societe d'Electro-Chimie d'Electro-Metallurgie et des Acleries Electriques d'Ugine and Jones and Laughlin Steel Corporation, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,015,691.

[F. R. Doc. 43-20298; Filed, December 22, 1943; 10:20 a. m.]

[Vesting Order 2755]

SILVERIO BALDUCCI AND UNITA BALDUCCI

In re: Real property and bank account owned by Silverio Balducci and Unita Balducci.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Silverio Balducci, also known as S. Balducci, and Unita Balducci is Provence Di Piza, Toscana, Italy, and that they are residents of Italy and nationals of a designated enemy country (Italy);

2. That Silverio Balducci and Unita Balducci are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
 a. The undivided one-half (1/2) interest in the real property situated in Richmond, Virginia, particularly described in Exhibit A, attached hereto and by reference made a part hereof, which interest is held of record in the name of Unita Balducci, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such interest,

b. The undivided one-half (1/2) interest in the real property situated in Richmond,

Virginia, particularly described in Exhibit B, attached hereto and by reference made a part hereof, which interest is held of record in the name of Unita Balducci, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such interest, and

c. All right, title, interest and claim of Silverio Balducci and Unita Balducci, and each of them, in and to the sum of \$500, constituting a portion of a certain bank account in the Virginia Trust Company, 521 East Main Street, Richmond, Virginia, which is due and owing to and held for Silverio Balducci and Unita Balducci in the name of McCarthy & Enroughty, agents for Silverio Balducci, including but not limited to all security rights in and to any and all collateral for any or all such account or portion thereof, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Italy);

And determining that the property described in subparagraph 3-c above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b above) belong to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 above, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall

have meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 6, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

EXHIBIT A

All that certain lot, piece or parcel of land, lying and being in the City of Richmond, Virginia, at the northwest corner of Kensington and Belmont Avenues, and more fully described as follows:

Beginning at the northwest intersection of Kensington and Belmont Avenues, thence running westwardly along and fronting on the north line of Kensington Avenue Fifty (50) Feet, thence back northwardly from said front and between parallel lines (the eastern line of which is the western line of Belmont Avenue) One hundred and Twenty (120) Feet to an alley in the rear Fifteen (15) Feet wide, being lots 32 and 33 in Block 5 in the Plan of Lee Annex.

EXHIBIT B

All that certain lot, piece or parcel of land, lying and being in the City of Richmond, Virginia, and more fully described as follows, to-wit:

Beginning at a point on the West Line of Belmont Avenue distant One Hundred (100) Feet North of the intersection of the Northern line of Kensington Avenue with the Western line of Belmont Avenue, thence running Northwardly along the said Western line of Belmont Avenue Twenty (20) Feet to the Southern line of a fifteen (15) Foot alley, thence back Westwardly between parallel lines Thirty (30) Feet, (the Northern line of which is the Southern line of said Fifteen (15) Foot alley.

[F. R. Doc. 43-20302; Filed, December 17, 1943; 10:56 a. m.]

[Vesting Order 2763]

ROBERTA AND ROBERT PENNAZZI-RICCI

In re: Interest in real property owned by Roberta Pennazzi-Ricci, a minor, and Robert Pennazzi-Ricci.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Roberta Pennazzi-Ricci, a minor, and Robert Pennazzi-Ricci are Capri, Italy, and Villa Fuor del Vento, Allassio, Italy, respectively, and that they are residents of Italy and nationals of a designated enemy country (Italy);

2. That Roberta Pennazzi-Ricci, a minor, and Robert Pennazzi-Ricci are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows: The undivided  $\frac{3}{4}$  interest, identified as the interest which was acquired by Roberta Pennazzi-Ricci and Robert Pennazzi-Ricci by virtue of the Decree of Distribution in the Matter of the Estate of Jane Dorcas Powers Pennazzi-Ricci, filed July 6, 1931 and recorded July 7, 1931, in Volume 27-a of the Probate Minutes of the Superior Court of the State of California, in and for the City and County of San Francisco, Department No. 10 at page 11, in and to the real property, comprising three parcels of land, situated in the County of Mariposa, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together

with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property,

is property within the United States owned or controlled by nationals of a designated enemy country (Italy);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 9, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

EXHIBIT A

All those certain tracts or parcels of land situated in the County of Mariposa, State of California, more particularly described as follows:

*Parcel No. 1:* North half of the Northwest quarter, Northwest quarter of Northeast quarter, and Southwest quarter of the Northeast quarter of section 21, Township 1 South, Range 23, East M. D. B. & M.

*Parcel No. 2:* Northwest quarter of the Southwest quarter and Southwest quarter of the Southwest quarter of section 16; Southeast quarter of the Northeast quarter, Northeast quarter of the Southeast quarter and Southeast quarter of the Southeast quarter of section 20; Southwest quarter of the Northwest quarter of section 21; in Township 1 South, Range 23 East M. D. B. & M.

*Parcel No. 3:* Southeast quarter of the Southeast quarter of section 11; North half of the Northwest quarter of section 13; Northeast quarter of the Northeast quarter of section 14; in Township 3 South, Range 22 East M. D. B. & M.

[F. R. Doc. 43-20299; Filed, December 22, 1943; 10:20 a. m.]

[Vesting Order 2781]

KIKU KUBO

In re: Estate of Kiku Kubo, deceased; File D-39-17166; E. T. sec. 8892 (H-1).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Haruko Kubo Omura, Executrix, acting under the judicial supervision of the Circuit Court of the Second Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

*Nationals and Last Known Address*

Fukujiro Kubo, Japan.  
Shigeo Kubo, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fukujiro Kubo and Shigeo Kubo and each of them in and to the Estate of Kiku Kubo, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 15, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-20300; Filed, December 22, 1943;  
10:21 a. m.]

[Vesting Order 2784]

#### LANSEC CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all the issued and outstanding capital stock (consisting of 150 shares of \$100 par value common stock) of Lansec Corporation, a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, is registered in the name of M. O. Korff and is beneficially owned by Lanova Geneve, S. A., and is evidence of ownership and control of said business enterprise;

2. That Gotthard Wielich is a citizen of Germany and a resident of Switzerland;

3. That all the issued and outstanding stock of Lanova Geneve, S. A. is beneficially owned by Gotthard Wielich;

4. That Lanova Geneve, S. A. and Gotthard Wielich are acting directly or indirectly for the benefit or on behalf of a designated enemy country (Germany) or persons within such country and are nationals of a designated enemy country (Germany);

5. That Lansec Corporation is a national of a designated enemy country (Germany); and determining:

6. That Gotthard Wielich and Lanova Geneve, S. A. are controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and are nationals of a designated enemy country (Germany);

7. That such nationals are persons not within a designated enemy country, but that the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification, required by law and deeming it necessary in the national interest, hereby vests in the Alien Property Custodian 150 shares of \$100 par value common stock of Lansec Corporation, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of Lansec Corporation to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in

whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form AFC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 15, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-20301; Filed, December 22, 1943;  
10:21 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[MPR 134, Order 13]

#### DUMP TRUCKS IN NEW YORK CITY AREA ORDER AUTHORIZING INCREASED MAXIMUM RENTAL RATES

Order No. 18 Under Maximum Price Regulation 134. Construction and road maintenance equipment rental prices and charges for operating and maintenance repair and rebuilding services.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1399.16 (a) (9) of Maximum Price Regulation 134, It is hereby ordered:

(a) Any owner or lessor of dump trucks of 5 cu. yds. capacity or greater may lease or furnish for use any such truck, on a fully operated basis, to the City of New York for the purpose of snow removal in the City of New York at maximum rental prices and upon terms not exceeding those set forth in the following schedule:

(1) Cubic yards capacity:

From	To	Rate per day for first 8 hour shift
(a) 8.00 cu. yds.	8.99 cu. yds.	\$26.00
(b) 9.00 cu. yds.	9.99 cu. yds.	
(c) 10.00 cu. yds.	10.99 cu. yds.	
(d) 11.00 cu. yds.	11.99 cu. yds.	33.00
(e) 12.00 cu. yds.	12.99 cu. yds.	
(f) 13.00 cu. yds.	13.99 cu. yds.	
(g) 14.00 cu. yds.	14.99 cu. yds.	40.00
(h) 15.00 cu. yds.	15.99 cu. yds.	
(i) 16.00 cu. yds.	16.99 cu. yds.	
(j) 17.00 cu. yds.	17.99 cu. yds.	47.00
(k) 18.00 cu. yds.	over	

plus \$3.00 for the first 8 hour shift for each full cubic yard capacity over \$18.00.

(2) The cubic capacity of a vehicle may be deemed to be the water level cubic content of the body of the vehicle and of the built-up section.

(3) In determining rental time, the contractor may be allowed 15 minutes before arrival to cover traveling time of truck between the garage and place of reporting, and such traveling time may be included as part of the rental time. Furthermore, if truck is shifted from one location to another, full traveling time may be allowed.

(4) In response to request or order, if a contractor furnishes a vehicle and personnel on a particular shift, the contractor may be paid for a full 8 hour shift, whether or not said vehicle is used for said 8 hours. Each chauffeur may be allowed a lunch period of 20 minutes, which may be included in the 8 hour day.

(5) Where a vehicle is used in excess of 8 consecutive hours,  $\frac{1}{8}$ th of the daily rental may be paid for each succeeding hour or fraction thereof.

(6) Where the vehicle is used in excess of 8 hours on an ordinary working day, the City may pay the contractor, in addition to the ordinary rental as scheduled, the difference between straight time pay for a chauffeur, and the overtime pay of time and a half.

(7) If a vehicle is used on a Sunday or legal holiday, the City may pay the contractor, in addition to the ordinary rental as scheduled, the difference between straight time pay for a chauffeur, and

(i) for the first 8 hours of work, the overtime pay of double time.

(ii) for work after 8 hours, the overtime pay of triple time.

This order shall become effective December 20, 1943.

Issued this 20th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-20254; Filed, December 20, 1943;  
5:03 p. m.]

[MPR 183, Order 1072]

#### MERRIFIELD-SCHULTZ Mfg. Co.

#### APPROVAL OF MAXIMUM PRICES

Order No. 1072 under § 1499.153 of Maximum Price Regulation No. 183. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a utility cart and step ladder chair manufactured by Merrifield-Schultz Mfg. Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, It is ordered:

(a) This Order No. 1072 establishes maximum prices for sales of a new utility cart and step ladder chair manufactured by Merrifield-Schultz Mfg. Co., 1674 W. Washington Blvd., Los Angeles, California.



(1) For sales by the manufacturer, the maximum prices are those set forth below, subject to a discount of 2/10/E.O.M. The prices set forth below are delivered prices in the Los Angeles Metropolitan area and f. o. b. Los Angeles, Cal., on sales outside the Los Angeles Metropolitan area.

	To jobbers	To retailers
Comb. step ladder chair.	\$2.48 per unit....	\$3.30 per unit.
Utility cart.....	2.98 per unit.....	

(2) For a sale at wholesale, the maximum price for the utility cart is \$3.97 per unit, f. o. b. seller's city, subject to discounts, allowances and terms no less favorable than those customarily granted by the seller.

(3) For a sale at retail, the maximum price for the utility cart is \$5.95 per unit.

(b) To every utility cart shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) At or before the time of first delivery of the utility cart after the effective date of this Order No. 1072, the manufacturer shall notify in writing every wholesaler and retailer and every wholesaler shall notify in writing every retailer who buys from them, of the maximum prices set by this order for resale by the purchaser. This written notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 1072 may be revoked or amended by the Price Administrator at any time.

This Order No. 1072 shall become effective on the 21st day of December 1943. Issued this 20th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-20255; Filed, December 20, 1943; 5:09 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-834]

UNITED GAS CORP. AND HOUSTON GAS SECURITIES CO.

### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of December, A. D. 1943.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named parties; and

Notice is further given that any interested person may, not later than December 24, 1943 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the

nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration as filed or as amended may become effective as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All persons interested are referred to said declaration which is on file in the office of said Commission for a statement of the transactions thereon proposed, which is summarized below:

United Gas Corporation ("United"), a Delaware corporation, a subsidiary of Electric Power & Light Corporation, which in turn is a subsidiary of Electric Bond and Share Company, both registered holding companies, proposes to acquire by merger all of the assets of Houston Gas Securities Company ("Houston Gas"), a Delaware corporation, all of whose capital stock is owned by United, and to assume all of the obligations of Houston Gas including its 5% Collateral Trust Gold Bonds due March 1, 1952, of which \$3,900,000 principal amount are outstanding. United will enter into an agreement with Houston Gas and the Chase National Bank of the City of New York, trustee under the collateral trust indenture underlying said bonds, providing for such assumption. \$440,000 principal amount of said bonds are owned by Electric Bond and Share Company.

The only indebtedness of Houston Gas other than the said bonds consists of current liabilities which at October 31, 1943, totalled \$162,979.29. Its assets consist of \$293,772.19 in cash, \$122,850 accrued interest receivable and \$4,585,000 principal amount of Twenty-year 6% Gold Debentures due March 1, 1952 and \$3,850,000 principal amount of 6% Debentures due July 1, 1953 of United Gas Public Service Company, all assumed by United.

Applicants and declarants have designated section 6 (a) as applicable to the proposed transactions but have requested that the filing be deemed to be made under such other sections of the act and rules thereunder as might also be applicable thereto.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-20281; Filed, December 21, 1943; 3:05 p. m.]

## UNITED STATES COAST GUARD.

### APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 1028 (46 U. S. C. 375, 391a, 404, 481, 489, 367, 463a), and Executive Order 9083, dated February 28, 1942 (7 F. R. 1609), the following miscellaneous items of equipment for the better security of life at sea are approved:

#### FIRE EXTINGUISHER

"Fyr-Tank", 2½-gallon pump tank extinguisher (Dwg. No. 42-1, dated 3 December, 1943), manufactured by the Fyr-Fyter Company, Dayton, Ohio.

#### LIFE FLOATS

10-, 15-, 25-, and 40-person rectangular solid balsa wood life float (Dwg. No. 11-1-43, dated 1 November, 1943), manufactured by the Atlantic-Pacific Mfg. Corp., Brooklyn, N. Y.

25-person, reversible rectangular solid balsa wood life float (Dwg. No. F. 2, dated 15 November, 1943), manufactured by Walter Siebje, Richmond Hill, Long Island, N. Y., in conjunction with Mayer Lumber & Millwork Corp., Richmond Hill, Long Island, N. Y.

#### LIFE RAFT

20-person, Young's Steel Truss life raft, model No. 5 (Dwg. No. 1749, dated 5 November, 1943), submitted by L. A. Young Spring & Wire Corp., Oakland, Calif.

#### WINCH FOR LIFEBOATS

Type H-C, hand operated lifeboat winch (General arrangement Dwg. No. 2564, dated 29 March, 1943), submitted by the Wollin Davit & Boat Corp., Perth Amboy, N. J.

R. R. WAESCHE,  
Commandant.

DECEMBER 21, 1943.

[F. R. Doc. 43-20319; Filed, December 22, 1943; 11:56 a. m.]

## WAR PRODUCTION BOARD.

### NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with synthetic rubber facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

Urgency rating number	Builder's serial number	Company	Address	Location of project
29.....	16434.....	Southern Calif. Gas Co.....	810 S. Flower St., Los Angeles, Calif.	Los Angeles, Calif.
35.....	702 A.....	Carbide & Carbon Chem. Corp.	30 E. 42nd St., New York, N. Y.	Institute, W. Va.
40.....	9597.....	Koppers United Co.....	Koppers Bldg., Pittsburgh, Pa.	Pittsburgh, Pa.
41.....	8892.....	The Phillips Petroleum Co. - Formerly Hycar Chem. Co.	Bartlesville, Okla.....	Berger, Tex.
61.....	7693.....	Monsanto Chemical Co.....	1700 S. Second St., St. Louis, Mo.	Texas City, Tex.
66.....	9595.....	Koppers United Co.....	Koppers Bldg., Pittsburgh, Pa.	Pittsburgh, Pa.



Issued this 21st day of December 1943.  
 WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
*Recording Secretary.*

[F. R. Doc. 43-20263; Filed, December 21, 1943;  
 11:00 a. m.]

#### GEMLOID CORPORATION

##### CONSENT ORDER

Gemloid Corporation, a New York corporation, having its principal office at 79-10 Albion Avenue, Elmhurst, Long Island, New York, is engaged in the business of manufacturing plastic products. An investigation conducted by the War Production Board disclosed that the corporation has violated Limitation Order L-71 of the War Production Board by having produced at least 75,000 flashlight cases during the period April 1, 1942, through March 19, 1943, without having a production quota therefor as required by the order, and by selling approximately 56,579 flashlight cases during the period October 2, 1942, through March 19, 1943, on ratings lower than required under the provisions of Limitation Order L-71, as amended October 2, 1942, and thereafter. Respondent has been informed of this investigation and admits the above mentioned violations.

Wherefore, upon agreement and consent of the Regional Compliance Chief, the Regional Attorney, and upon approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Gemloid Corporation shall not produce any flashlights except to fulfill specific purchase orders, contracts, or subcontracts for delivery to or for the account of the Army or the Navy of the United States, Maritime Commission, War Shipping Administration or the government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense

of the United States" (Lend Lease Act), except as the War Production Board may specifically direct.

(b) Gemloid Corporation shall not sell or transfer any flashlight except in fulfillment of a specific purchase order, contract, or subcontract for delivery to or for the account of the Army or the Navy of the United States, Maritime Commission, War Shipping Administration or the government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend Lease Act), except as the War Production Board may specifically direct.

(c) Nothing contained in this order shall be deemed to relieve Gemloid Corporation, its successors and assigns from any restrictions, prohibitions, or provisions contained in any other order or regulation of the War Production Board.

(d) This order shall be in effect for two months beginning on the date of issuance.

Issued this 21st day of December 1943.

WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
*Recording Secretary.*

[F. R. Doc. 43-20266; Filed, December 21, 1943;  
 3:10 p. m.]

#### AMERICAN STEEL SUPPLIERS, INC.

##### CONSENT ORDER

American Steel Suppliers, Inc., is a corporation of the State of Ohio, engaged in the business of maintaining and operating a steel warehouse at 16700 Waterloo Road, Cleveland, Ohio. During the second quarter of 1943, the company accepted delivery of 301,450 pounds of steel products into its warehouse stock, when its quota for such period was 34,680 pounds, thereby exceeding its quota in the amount of 266,770 pounds, in violation of General Preference Order M-

21-b-1. American Steel Suppliers, Inc., admits the excess receipts as herein stated and has consented to the issuance of this order.

Wherefore, upon agreement and consent of the company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) During the first calendar quarter of 1944, the American Steel Suppliers, Inc., its successors or assigns, shall not receive into its warehouse stock any general steel products of prime grade, as defined in General Preference Order M-21-b-1, as amended, of the product, group and type authorized by its warehouse certificate, unless hereafter specifically authorized in writing by the War Production Board.

(b) For the purposes of this order the word "steel" as used herein shall bear the same meaning as defined in paragraph (b) of General Preference Order M-21-b-1, as amended, and shall include any prime grade steel purchased from idle or excess inventories pursuant to paragraph (d) of General Preference Order M-21-b-1, as amended, the provisions of this paragraph to the contrary notwithstanding.

(c) Nothing contained in this order shall be deemed to relieve American Steel Suppliers, Inc., its successors or assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on the date of issuance and shall expire on March 31, 1944, at which time it shall have no further force or effect.

Issued this 21st day of December 1943.

WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
*Recording Secretary.*

[F. R. Doc. 43-20287; Filed, December 21, 1943;  
 3:10 p. m.]

